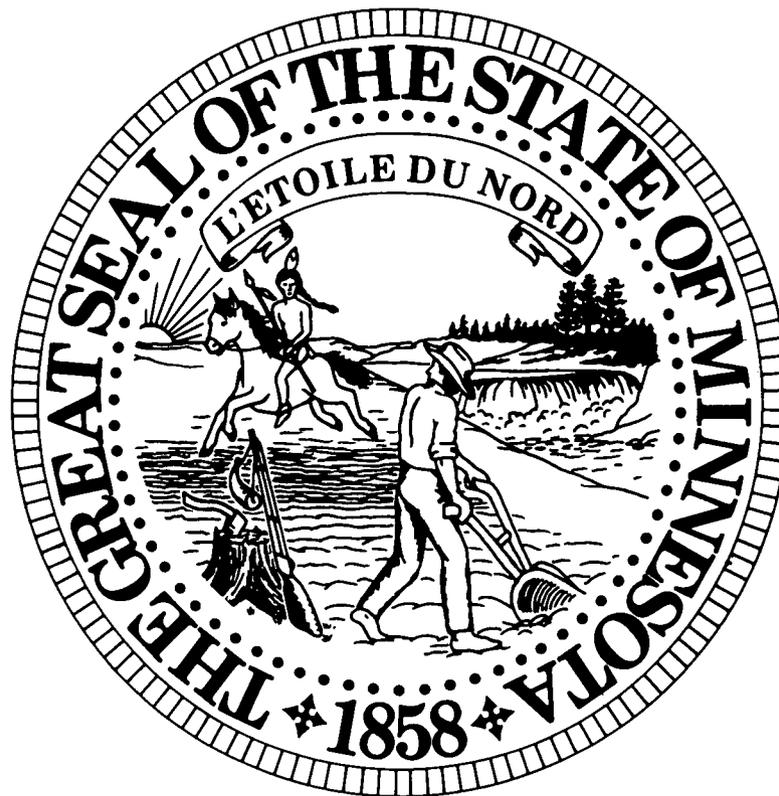


The Minnesota
**State
Register**

Department of Administration—Print Communications Division



Rules edition
Published every Monday
(Tuesday if Monday is a holiday)

Monday 28 September 1992
Volume 17, Number 13
Pages 653-700

State Register

Judicial Notice Shall Be Taken of Material Published in the *State Register*

The *State Register* is the official publication of the State of Minnesota, containing executive and commissioners' orders, proposed and adopted rules, official and revenue notices, state and non-state contracts, contract awards, grants, a monthly calendar of cases to be heard by the state supreme court, and announcements.

A *Contracts Supplement* is published every Thursday and contains additional state contracts and advertised bids, and the most complete source of state contract awards available in one source.

Printing Schedule and Submission Deadlines

Vol. 17 Issue Number	*Submission deadline for Adopted and Proposed Rules, Commissioners' Orders**	*Submission deadline for Executive Orders, Contracts, and Official Notices**	Issue Date
13	Monday 14 September	Monday 21 September	Monday 28 September
14	Monday 21 September	Monday 28 September	Monday 5 October
15	Monday 28 September	Monday 5 October	Monday 12 October
16	Monday 5 October	Monday 12 October	Monday 19 October

*Deadline extensions may be possible at the editor's discretion; however, none will be made beyond the second Wednesday (12 calendar days) preceding the issue date for rules, proposed rules and executive orders, or beyond the Wednesday (5 calendar days) preceding the issue date for official notices. Requests for deadline extensions should be made only in valid emergency situations.

**Notices of public hearings on proposed rules and notices of intent to adopt rules without a public hearing are published in the Proposed Rules section and must be submitted two weeks prior to the issue date.

Instructions for submission of documents may be obtained from the *State Register* editorial offices, 504 Rice Street, St. Paul, Minnesota 55103, (612) 296-0929.

The *State Register* is published every Monday (Tuesday when Monday is a holiday) by the State of Minnesota, Department of Administration, Print Communications Division, 117 University Avenue, St. Paul, Minnesota 55155, pursuant to *Minnesota Statutes* § 14.46. A *State Register Contracts Supplement* is published every Thursday. The Monday edition is the vehicle for conveying all information about state agency rulemaking, including official notices; hearing notices; proposed, adopted and emergency rules. It also contains executive orders of the governor; commissioners' orders; state contracts and advertised bids; professional, technical and consulting contracts; non-state public contracts; state grants; decisions of the supreme court; a monthly calendar of scheduled cases before the supreme court; and other announcements. The Thursday edition contains additional state contracts and advertised bids, and the most complete listing of contract awards available in one source.

In accordance with expressed legislative intent that the *State Register* be self-supporting, the following subscription rates have been established: the Monday edition costs \$150.00 per year and includes an index issue published in August (single issues are available at the address listed above for \$3.50 per copy); the combined Monday and Thursday editions cost \$195.00 (subscriptions are not available for just the *Contracts Supplement*); trial subscriptions are available for \$60.00, include both the Monday and Thursday edition, last for 13 weeks, and may be converted to a full subscription anytime by making up the price difference. No refunds will be made in the event of subscription cancellation.

Both editions are delivered postpaid to points in the United States, second class postage paid for the Monday edition at St. Paul, MN, first class for the Thursday edition. Publication Number 326630 (ISSN 0146-7751).

Subscribers who do not receive a copy of an issue should notify the *State Register* circulation manager immediately at (612) 296-0931. Copies of back issues may not be available more than two weeks after publication.

Arne H. Carlson, Governor

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FOR LEGISLATIVE NEWS

Publications containing news and information from the Minnesota Senate and House of Representatives are available free to concerned citizens and the news media. To be placed on the mailing list, write or call the offices listed below:

SENATE

Briefly-Preview—Senate news and committee calendar; published weekly during legislative sessions.

Perspectives—Publication about the Senate.

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Contact: Senate Public Information Office
Room 231 State Capitol, St. Paul, MN 55155
(612) 296-0504

HOUSE

Session Weekly—House committees, committee assignments of individual representatives; news on committee meetings and action. House action and bill introductions

This Week—weekly interim bulletin of the House.

Session Summary—Summarizes all bills that both the Minnesota House of Representatives and Minnesota Senate passed during their regular and special sessions.

Contact: House Information Office
Room 175 State Office Building, St. Paul, MN 55155
(612) 296-2146

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NOTICE: How to Follow State Agency Rulemaking in the State Register

The *State Register* is the official source, and only complete listing, for all state agency rulemaking in its various stages. State agencies are required to publish notice of their rulemaking action in the *State Register*. Published every Monday, the *State Register* makes it easy to follow and participate in the important rulemaking process. Approximately 75 state agencies have the authority to issue rules. Each agency is assigned specific *Minnesota Rule* chapter numbers. Every odd-numbered year the *Minnesota Rules* are published. This is a ten-volume bound collection of all adopted rules in effect at the time. Supplements are published to update this set of rules. Proposed and adopted emergency rules do not appear in this set because of their short-term nature, but are published in the *State Register*.

If an agency seeks outside opinion before issuing new rules or rule amendments, it must publish a NOTICE OF INTENT TO SOLICIT OUTSIDE OPINION in the *Official Notices* section of the *State Register*. When rules are first drafted, state agencies publish them as **Proposed Rules**, along with a notice of hearing, or notice of intent to adopt rules without a hearing in the case of noncontroversial rules. This notice asks for comment on the rules as proposed. Proposed emergency rules and withdrawn proposed rules are also published in the *State Register*. After proposed rules have gone through the comment period, and have been rewritten into their final form, they again appear in the *State Register* as **Adopted Rules**. These final adopted rules are not printed in their entirety in the *State Register*, only the changes made since their publication as Proposed Rules. To see the full rule, as adopted and in effect, a person simply needs two issues of the *State Register*, the issue the rule appeared in as proposed, and later as adopted. For a more detailed description of the rulemaking process, see the *Minnesota Guidebook to State Agency Services*.

The *State Register* features partial and cumulative listings of rules in this section on the following schedule: issues 1-13 inclusive; issues 14-25 inclusive; issue 26, cumulative for issues 1-26; issues 27-38 inclusive; issue 39, cumulative for 1-39; issues 40-51 inclusive; and issue 52, cumulative for 1-52. An annual subject matter index for rules appears in August. For copies of the *State Register*, a subscription, the annual index, the *Minnesota Rules* or the *Minnesota Guidebook to State Agency Services*, contact the Print Communications Division, 117 University Avenue, St. Paul, MN 55155 (612) 297-3000 or toll-free in Minnesota 1-800-9747.

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 .0488; .0489; .0490; .0491 s.1, 2, 3, 4, 5, 6, 9, and
 10 (proposed repealer) 58
 9505.0324 (proposed) 58
 9510.2000; .2010; .2020; .2030; .2040; .2050 (proposed) 431
 9535.1700; .1705; .1710; .1715; .1720; .1725; .1730; .1735;
 .1740; .1745; .1750; .1755; .1760 (proposed) 88
 9535.0100; .0200; .0300; .0400; .0500; .0600; .0700; .0800;
 .0900; .1000; .1100; .1200; .1300; .1400; .1500; .1600
 (proposed repealer) 95

State Treasurer Office
 9700.0100; .0200; .0300; .0400 (proposed) 435

Department of Commerce Regulated Profession Publications

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Business and Nonprofit Corporation Act of 1990. Laws governing establishment and conduct of for-profit and non-profit corporations in Minnesota. Chapters 302A, 308A, 317A. Code #2-87 \$19.95

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Insurance Rules 1991. Essential licensing information for businesses and agents. Includes standards on policies, practices, marketing and continuing education. Code #3-1. \$18.95

Banking Rules 1991. Regulating loans, financial statements, lease financing, bonds, overdrafts, records, and more. MN Rules 2675. Includes amendments adopted on March 11, 1991. Stock #3-81. \$6.95

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Proposed Rules

Pursuant to Minn. Stat. §§ 14.22, an agency may propose to adopt, amend, suspend or repeal rules without first holding a public hearing, as long as the agency determines that the rules will be noncontroversial in nature. The agency must first publish a notice of intent to adopt rules without a public hearing, together with the proposed rules, in the *State Register*. The notice must advise the public:

1. that they have 30 days in which to submit comment on the proposed rules;
2. that no public hearing will be held unless 25 or more persons make a written request for a hearing within the 30-day comment period;
3. of the manner in which persons shall request a hearing on the proposed rules; and
4. that the rule may be modified if the modifications are supported by the data and views submitted.

If, during the 30-day comment period, 25 or more persons submit to the agency a written request for a hearing of the proposed rules, the agency must proceed under the provisions of §§ 14.14-14.20, which state that if an agency decides to hold a public hearing, it must publish a notice of intent in the *State Register*.

Pursuant to Minn. Stat. §§ 14.29 and 14.30, agencies may propose emergency rules under certain circumstances. Proposed emergency rules are published in the *State Register* and, for at least 25 days thereafter, interested persons may submit data and views in writing to the proposing agency.

Board of Chiropractic Examiners

Proposed Permanent Rules Relating to License Renewal and Continuing Education

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Board of Chiropractic Examiners (hereinafter "Board") intends to adopt the above-entitled rule without a public hearing unless 25 or more persons submit written requests for a public hearing. The Board has determined that the proposed rule will be noncontroversial in nature and has elected to follow the procedures set forth in *Minnesota Statutes* section 14.22 to 14.28 (1990).

Interested persons shall have 30 days from the date this notice is published in the *State Register* to submit comments in support of or in opposition to the proposed rule. The 30 days will expire on October 28, 1992 at 4:30 p.m. Comment is encouraged. Each comment should identify the portion of the proposed rule and any change proposed to the rule by the comment. The proposed rule may be modified if the modifications are supported by the data and views submitted to the Board and do not result in a substantial change in the proposed language.

In addition to submitting comments, interested persons may request in writing during the 30-day comment period that a hearing be held on the proposed rule. Any person requesting a hearing should state his or her name, address, and telephone number and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any changes they want made on the proposed rule or a portion thereof by October 28, 1992 at 4:30 p.m. If a hearing is required, it will be held in accordance with the provisions of *Minnesota Statutes* section 14.131 to 14.20 (1990) and the hearing notice provided below.

Written comments or written requests for a public hearing should be submitted to:

Joel B. Wulff, D.C., Executive Director
Minnesota Board of Chiropractic Examiners
2700 University Ave. W., #20
St. Paul, MN 55114-1089
(612) 642-0591

The statutory authority to adopt the rule is contained in *Minnesota Statutes* sections 148.08.

If adopted, the proposed rule would establish a biennial continuing education cycle, establish requirements for using testimonial advertising, establish a deadline for change of name and/or address notification, change the penalty fee for late license renewal, establish other fees, and create a continuing education sponsor approval mechanism.

The proposed rule is published below and a free copy of the rule may be obtained from the Board by writing or telephoning the Board at the address or the telephone number listed above.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and may be obtained from the Board by writing or telephoning the Board at the address and telephone number listed above.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

Promulgation of the proposed rule will not result in the expenditure of public monies by public bodies nor have an impact on agricultural land. It is the position, and the Board's evaluation of the applicability of the methods contained in *Minnesota Statutes* section 14.115, subdivision 2 (1990) for reducing the impact of the proposed rule on small businesses, should it be determined that the Board is governed by section 14.115, are addressed in the Statement of Need and Reasonableness.

Upon adoption of the proposed rule without a public hearing, the rule as proposed, this notice, the Statement of Need and Reasonableness, all written comments received, the rule as adopted, and a statement explaining any difference between the rule as proposed and as adopted will be delivered to the Attorney General for review as to form and legality, including the issue of substantial change. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the rule as adopted should submit a written request to the Board at the address listed above.

Dated: 11 September 1992

Joel B. Wulff, D.C.
Executive Director

Rules as Proposed

2500.0100 DEFINITIONS.

[For text of subs 1 to 4, see M.R.]

Subp. 4a. Continuing education unit. "Continuing education unit" means one 50-minute session that qualifies under part 2500.1500 as an approved program.

[For text of subs 5 to 11, see M.R.]

2500.0200 PROFESSIONAL STANDARDS FOR ADVERTISING.

[For text of subs 1 and 2, see M.R.]

Subp. 3. Testimonial advertising. The use of testimonials, whether single or in groups; summaries of types of treatment; or examples of treatment as used in the advertiser's office carry with them an implication that the conditions described in the advertisement have been or will be helped by the practitioner. Therefore, before an advertisement is produced, distributed, or displayed, a practitioner who requests from a patient a testimonial to the treatments or modalities used by the practitioner must obtain written consent and have a signed release form from the patient to be kept in the patient's file.

The patient has the right to review the advertisements that use the patient's statements, likenesses, or case summaries before the advertisements are released for production, distribution, or displaying.

Statements made by patients that are untruthful, improbable, misleading, or impossible may not be used even if the patient made the statements.

2500.1100 INDIVIDUAL ANNUAL LICENSE RENEWAL.

[For text of subpart 1, see M.R.]

Subp. 2. **Renewal fees.** The license of each licensee shall expire at midnight on December 31 each year. Subject to the terms of part 2500.1200, the board shall renew the license upon receipt from the licensee of a license renewal fee of \$150, plus any applicable penalty fee as set forth in ~~part 2500.1300~~ subpart 3. Each licensee shall submit the license renewal fee to the board no later than January 1 of the year for which the license renewal is requested.

Subp. 3. **Penalty fees.** A licensee shall submit to the board, in addition to the license renewal fee, a penalty fee of ~~\$40~~ \$150 per month for each month or portion of a month for which the license renewal fee is in arrears, the penalty not to exceed ~~\$400~~ \$900.

2500.1105 CHANGE OF NAME OR ADDRESS.

Subpart 1. Name change. A licensee who has changed names must notify the board in writing within 30 days of the change. The name change will be reflected on the next license or registration certificate issued to the licensee. If the licensee wishes to immediately receive a certificate as changed, the licensee must pay the fee in part 2500.1150, item E.

Subp. 2. Address change. A licensee who has changed addresses must notify the board in writing within 30 days of the change. The address change will be reflected on the next license or registration certificate issued to the licensee. If the licensee wishes to immediately receive a certificate as changed, the licensee must pay the fee in part 2500.1150, item E.

2500.1150 FEES.

The fees charged by the board are fixed at the following rates:

[For text of items A to G, see M.R.]

H. independent medical examination annual renewal fee, \$100; ~~and~~

I. continuing education seminar approval and registration fee, \$100 incorporation renewal late charge, \$5 per month;

J. computer lists, \$100;

K. computer printed labels, \$150; and

L. address update late charge, \$10 per day.

2500.1200 CONTINUING EDUCATION.

[For text of subpart 1, see M.R.]

Subp. 2. **Annual Biennial requirement.** Except as ~~hereinafter~~ otherwise provided in this part, every person licensed to practice chiropractic in this state shall, as a prerequisite for the ~~annual~~ continued renewal of ~~his a~~ license, attend a minimum of ~~20 hours~~ 40 continuing education units during the two preceding calendar year years of continuing education courses recognized and approved by the board. At least ~~three~~ six of ~~such hours~~ the continuing education units shall be devoted to radiographic safety, technique, and/or interpretation.

Subp. 3. [See repealer.]

Subp. 4. **Schedule of required hours continuing education units.** ~~During the first calendar year following the year of initial licensure, licensees shall attend a total of not less than ten hours of recognized and approved continuing education courses, including at least three hours devoted to radiographic safety, technique, and/or interpretation. Thereafter, five additional course hours shall be attended each year until the annual 20 hour minimum requirement is met. Beginning January 1, 1992, all chiropractors licensed prior to January 1, 1993, must obtain 40 continuing education units by December 31, 1993, in order to receive a license to practice during the calendar year 1994, and every two calendar years thereafter.~~

Chiropractors who are licensed after January 1, 1992, during any even-numbered calendar year will be required to obtain at least 20 continuing education units, with at least three of those continuing education units devoted to education in radiographic safety, technique, or interpretation, by the end of the biennial continuing education requirement period in which they are licensed. Chiropractors who are licensed after January 1, 1992, during any odd-numbered calendar year will not be required to obtain any continuing education units during the biennial continuing education requirement period in which they are licensed. For example, anyone licensed between January 1, 1992, and December 31, 1992, would be required to obtain 20 continuing education units, as described in this subpart, by December 31, 1993, in order to obtain a license to practice chiropractic for the year 1994. Anyone licensed between January 1, 1993, and December 31, 1993, would not be required to obtain any continuing education units prior to receiving a license to practice chiropractic for the year 1994.

After a licensed chiropractor has gone through the biennial education cycle in which the chiropractor is licensed, that chiropractor will be required to attend 40 continuing education units of continuing education courses every two calendar years.

[For text of subp 5, see M.R.]

2500.1410 SPONSORSHIP OF EDUCATION PROGRAMS.

The board shall register and approve organizations or individuals who wish to offer continuing education programs to individuals licensed to practice chiropractic in this state as described in items A to C.

A. The sponsor must submit an annual fee of \$500 for all programs given over the year, or a fee of \$100 for each program given over the biennium.

B. The sponsor must complete and submit to the board annually a registration form developed by the board which includes at least:

(1) the name, address, and telephone number of the organization;

(2) the name, address, and telephone number of the person responsible and authorized to do business with the board regarding continuing education matters;

(3) a signed statement which indicates that the sponsor of the continuing education program knows, understands, and agrees to follow all criteria for the approval of programs as listed in part 2500.1500 and criteria for unapproved programs listed in part 2500.1600; and

(4) a signed statement which indicates that the sponsor agrees to send to the board a list of all chiropractors licensed in Minnesota who have taken courses offered by that sponsor.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

C. The sponsor must sign a statement agreeing to allow any representative of the board to attend all or part of any program that the sponsor is offering. If the representative of the board is a chiropractor licensed in Minnesota, that person must pay the full registration fee in order to be awarded continuing education units for attending the program.

2500.1420 REPORTS TO BOARD.

The sponsor must report to the board any changes in the requirements in part 2500.1410 as soon as possible.

The sponsor must provide a list to the board within 14 days after each seminar given. The list must include the following:

- A. the attending chiropractors' names and addresses;
- B. the date on which the program was attended;
- C. the number of continuing education units obtained; and
- D. the type of continuing education units obtained.

2500.1500 PROGRAM APPROVAL CRITERIA.

The board sponsor shall employ the following criteria in determining whether a continuing education program shall be approved and the number of course hours continuing education units for which approval is granted:

[For text of items A and B, see M.R.]

C. whether the classes will be held in a suitable setting which is conducive to the learning process; and

D. whether the program will improve the practitioner's ability to keep records necessary to substantiate the need for chiropractic care.

2500.1710 SPONSORSHIP REVOKED.

The following acts shall result in the termination of the sponsorship status given to an organization or to an individual:

- A. awarding continuing education units for programs which fail to meet the criteria in part 2500.1500;
- B. failure to provide timely reports to the board as required in part 2500.1420;
- C. reporting chiropractor attendance information which is false; and
- D. making any false representation to the board or to the chiropractors who may attend a program.

At least 30 days prior to the proposed date of revocation, the board shall notify the sponsor in writing of its alleged infractions. The sponsor then has 30 days to notify the board in writing of its intent to contest. The intent to contest must include the sponsor's answer to the notice of alleged infractions.

Upon receipt of an intent to contest, the executive officers of the board shall notify the sponsor of a time and place to meet to review the proposed sponsorship revocation including the sponsor's answer.

Any decision of the executive officers terminating sponsorship following such a meeting shall be final and binding without a contested case hearing and shall not be subject to judicial review or to a judicial stay pending any attempt to seek such review.

The sponsor may continue to present continuing education courses until the issuance of a final written decision of the revocation process by the executive officers of the board.

2500.1720 PROGRAMS DEVELOPED.

Doctors of chiropractic licensed in Minnesota may obtain continuing education units for the development of a program which meets the standards set forth in part 2500.1500. Six continuing education units may be awarded and applied to the next two-calendar year requirement in part 2500.1200.

To obtain approval, the chiropractor must submit the following to the board:

- A. a summary of the program;
- B. a listing of at least one date on which the program was presented; and
- C. a statement of which type of continuing education units the chiropractor wants to be awarded.

Continuing education units shall be awarded under this part only once for each chiropractor for each new program developed.

REPEALER. Minnesota Rules, parts 2500.1200, subpart 3; 2500.1300; 2500.1400; and 2500.1700, are repealed.

Minnesota Housing Finance Agency

Proposed Permanent Rules Relating to Publicly Owned Transitional or Battered Women or Other Crime Victims Housing Program

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Housing Finance Agency intends to adopt the above rule without a public hearing following the procedures set forth in the Administrative Procedure Act for adopting rules without a public hearing in *Minnesota Statutes* sections 14.22 to 14.28. The statutory authority to adopt the rule is *Minnesota Statutes* 462A.06, subd. 4 and 11.

All persons have 30 days in which to submit comment in support of or in opposition to the proposed rule or any part or subpart of the rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule within the 30-day comment period ending October 28, 1992. If 25 or more persons submit a written request for a public hearing within the 30-day comment period, a public hearing will be held unless a sufficient number withdraw their request in writing. Any person requesting a public hearing should state his or her name and address, and is encouraged to identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a public hearing is required, the agency will proceed pursuant to *Minnesota Statutes*, sections 14.131 to 14.20.

Comments or written requests for a public hearing must be submitted to:

Renee J. Dickinson, Legal Division
Minnesota Housing Finance Agency
400 Sibley St., Suite 300
St. Paul, MN 55101-1998
Telephone: 612/296-9794

The proposed rule may be modified if the modifications are supported by data and views submitted to the agency and do not result in a substantial change in the proposed rule as noticed.

A copy of the proposed rule is attached to this notice.

A STATEMENT OF NEED AND REASONABLENESS that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available from Renee J. Dickinson upon request.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General or who wish to receive a copy of the adopted rule must submit the written request to Renee J. Dickinson.

Dated: 25 September 1992

James J. Solem
Commissioner

Rules as Proposed

PUBLICLY OWNED TRANSITIONAL OR BATTERED WOMEN OR OTHER CRIME VICTIMS HOUSING PROGRAM

4900.3100 SCOPE.

Parts 4900.3100 to 4900.3130 govern the implementation of the publicly owned transitional or battered women or other crime victims housing program.

4900.3110 DEFINITIONS.

Subpart 1. **Scope.** The terms used in parts 4900.3100 to 4900.3130 have the ~~meaning~~ meanings given them in this part.

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

[For text of subp 2, see M.R.]

Subp. 3. **Applicant.** "Applicant" means one or more entities that submit an application for a ~~transitional~~ housing program ~~grant~~ financial assistance.

Subp. 4. **Application.** "Application" means a submittal requesting a ~~transitional~~ housing program ~~grant~~ financial assistance to pay the cost of the acquisition, improvement, construction, or rehabilitation of a structure to provide ~~transitional~~ housing for low- and moderate-income persons.

Subp. 4a. **Financial assistance.** "Financial assistance" means a loan for purposes of the publicly owned transitional housing program or a grant for purposes of the publicly owned battered women or other crime victims housing program.

Subp. 4b. **Housing program.** "Housing program" means the publicly owned transitional or battered women or other crime victims housing program.

[For text of subp 5, see M.R.]

Subp. 6. **Persons and families of low- and moderate-income.** "Persons and families of low- and moderate-income" means those persons and families whose income does not exceed 50 percent of the greater of the statewide or area median household income as estimated by the United States Department of Housing and Urban Development adjusted for families of five or more.

[For text of subp 7, see M.R.]

Subp. 7a. **Shelter or facility.** "Shelter" or "facility" means transitional housing or a facility that houses services in conjunction with housing for battered women or other crime victims.

Subp. 8. **Structure.** "Structure" means a building to be acquired, improved, constructed, or rehabilitated for use as transitional or battered women or other crime victims housing.

[For text of subs 9 and 10, see M.R.]

Subp. 11. [See repealer.]

4900.3120 ELIGIBILITY.

Subpart 1. **Applicants.** To be eligible for selection for a ~~grant~~ financial assistance, an applicant shall satisfy the requirements in items A to E.

[For text of item A, see M.R.]

B. The applicant must provide a comprehensive plan for meeting the existing need for ~~transitional~~ the proposed housing and for the placement of persons in independent housing. At a minimum, this plan must include:

(1) documentation of ~~a the need for transitional~~ the proposed housing by the population to be served by the structure;

[For text of subitems (2) and (3), see M.R.]

(4) a detailed budget for the operation of the ~~transitional~~ housing program for the first year and projected budgets for future years; and

(5) a detailed budget for the construction or acquisition and rehabilitation of the structure.

[For text of item C, see M.R.]

D. The applicant ~~must agree to retain ownership of~~ shall own and operate the property as housing for at least 20 years. ~~After 20 years, the sale of a property before the expiration of its useful life must be at its fair market value, and the net proceeds of the sale must be used for the same purpose or repaid to the agency for deposit in the local government unit housing account, at which time all restrictions regarding the ownership and operation of the property shall cease, and the transitional housing loan shall be deemed paid in full or the battered women or other crime victims housing grant terms shall be fully satisfied. The property may be sold prior to the expiration of the 20-year period provided the sale repays the lesser of the net proceeds of the sale or the amount of the financial assistance.~~ The applicant may contract with a nonprofit ~~or for-profit~~ organization to manage the property, including the improvement or rehabilitation of the property, and to operate a ~~transitional~~ housing program on the property on behalf of the applicant.

E. Where the applicant intends to contract with a nonprofit ~~or for-profit~~ organization to develop or manage the property or to operate the ~~transitional~~ housing program, the nonprofit ~~or for-profit~~ organization may provide any or all of the information required under items B and C.

Subp. 2. **Structures.** To be eligible for selection for a ~~grant~~ financial assistance, a the proposed ~~transitional~~ housing structure must satisfy the requirements in items A to D.

A. The structure must provide ~~transitional~~ housing for persons and families of low- and moderate-income.

[For text of items B to D, see M.R.]

4900.3130 SELECTION CRITERIA FOR GRANTS FINANCIAL ASSISTANCE.

Preference shall be given to local units of government that propose to acquire properties being sold by the Resolution Trust Corporation or the Department of Housing and Urban Development.

In addition, the agency shall take the following criteria into consideration when determining which applications will be funded:

A. the extent to which the ~~grant~~ is requested funds are combined with funds or in-kind contributions from other public and private sources;

B. the availability and source of funds to pay the cost of acquisition, construction, or rehabilitation of the structure not funded by the ~~grant~~ financial assistance;

[For text of items C to E, see M.R.]

F. the immediacy of the need documented for temporary housing in the area in which the structure is located;

G. if the applicant requests funding for a structure in which a ~~transitional~~ housing program is currently operating:

(1) the need for an additional transitional housing program in the area and the extent to which additional ~~transitional~~ housing will be produced if the application is funded; or

(2) the extent to which funding for ongoing operating costs is declining and government ownership of the structure will ensure continued operation of the program;

H. if the applicant requests funding for shelters or facilities for other crime victims, priority shall be given to applicants who serve victims of crimes against the person;

I. the capacity of the applicant to proceed promptly with the acquisition, improvement, construction, or rehabilitation of the structure;

~~I. J.~~ the amount of the ~~grant~~ financial assistance requested as compared to the total resources available ~~for these grants from the program~~;

~~J. K.~~ the extent to which the application receives the support and participation of the local community including the extent to which, if the applicant proposes to contract with or lease the property to a nonprofit organization, the governing board of the nonprofit organization represents the cultural diversity of the community;

~~K. L.~~ the geographic location of the structure in relation to support services, retail facilities, recreational facilities, medical facilities, and transportation;

~~L. M.~~ the reasonableness of the acquisition, improvement, construction, or rehabilitation cost with preference given to applications that minimize the cost per ~~transitional~~ housing units produced; and

~~M.~~ the extent to which the application uses innovative cost-effective support services that are appropriate to the needs of the population served; and

N. the experience of the applicant, or if the applicant proposes to contract with a nonprofit ~~or for-profit~~ organization, then the experience of the nonprofit ~~or for-profit~~ organization in developing or managing housing, providing support services, and servicing the specific target population of ~~homeless persons~~.

REPEALER. Minnesota Rules, part 4900.3110, subpart 11, is repealed.

Department of Revenue

Proposed Permanent Rules Relating to United States Interest Subtraction

Notice of Intent to Adopt a Rule Without a Public Hearing

NOTICE IS HEREBY GIVEN that the Minnesota Department of Revenue intends to adopt the above entitled rule without a public hearing following the procedures set forth in the Administrative procedures Act for adopting rules without a public hearing in *Minnesota Statutes*, section 14.22 to 14.28. The statutory authority to adopt the proposed rule is *Minnesota Statutes*, section 270.06(13).

KEY: PROPOSED RULES SECTION — Underlining indicates additions to existing rule language. ~~Strike outs~~ indicate deletions from existing rule language. If a proposed rule is totally new, it is designated "all new material." **ADOPTED RULES SECTION** — Underlining indicates additions to proposed rule language. ~~Strike outs~~ indicate deletions from proposed rule language.

Proposed Rules

All persons have until 4:30 p.m. on October 28, 1992 to submit comment in support of or in opposition to the proposed rule or any subpart of the proposed rule. Comment is encouraged. Each comment should identify the portion of the proposed rule addressed, the reason for the comment, and any change proposed.

Any person may make a written request for a public hearing on the rule. Any written request for a public hearing must be received by the Department of Revenue by 4:30 p.m. on October 28, 1992. If 25 or more persons submit written requests for a public hearing by 4:30 p.m. on October 28, 1992, a public hearing will be held unless a sufficient number withdraw their requests in writing. Any person requesting a public hearing must include his or her name and address, and should identify the portion of the proposed rule addressed, the reason for the request, and any change proposed. If a hearing is required, the agency will proceed under *Minnesota Statutes* section 14.131 to 14.20. Comments or written requests for a public hearing must be submitted to:

Jason P. Hardy
Appeals, Legal Services, and Criminal Investigations Division
10 River Park Plaza
Mail Station 2220
St. Paul, MN 55146-2220
(612) 296-1902 extension 117

The proposed rule may be modified if the modifications are supported by data and views submitted to the Department of Revenue and do not result in a substantial change in the proposed rule as noticed. A copy of the proposed rule is attached to this notice.

A **STATEMENT OF NEED AND REASONABLENESS** that describes the need for and reasonableness of each provision of the proposed rule and identifies the data and information relied upon to support the proposed rule has been prepared and is available upon request for Jason P. Hardy at the address and telephone number listed above.

In preparing the rule, the Department has considered the requirements of *Minnesota Statutes*, section 14.115, in regard to the impact of the proposed rule on small business. The adoption of the rule will not adversely affect small businesses.

Minnesota Statutes, section 14.11, subdivision 1, does not apply because adoption of the rule will not result in additional spending by local public bodies in excess of \$100,000 per year for the first two years following adoption of the rule. *Minnesota Statutes*, section 14.11, subdivision 2, does not apply because adoption of the rule will not impact agricultural land. *Minnesota Statutes*, section 16A.128, subdivisions 1a and 2a, do not apply because the rule does not fix fees.

If no hearing is required, upon adoption of the rule, the rule and the required supporting documents will be submitted to the Attorney General for review as to legality and form to the extent the form relates to legality. Any person may request notification of the date of submission to the Attorney General. Persons who wish to be advised of the submission of this material to the Attorney General, or who wish to receive a copy of the adopted rules, must submit the written request to Jason P. Hardy at the address and telephone number listed above.

Dated: 10 September 1992

Michael E. Boekhaus, Director
Appeals, Legal Services, and
Criminal Investigation Division

Rules as Proposed

8002.0300 SUBTRACTION FOR INTEREST ON UNITED STATES GOVERNMENT OBLIGATIONS.

Subpart 1. **Conditions for qualification.** *Minnesota Statutes*, section 290.01, subdivision 20, paragraph (b) 19b, clause (1), allows an individual taxpayer, an estate, or a trust to subtract the amount of interest earned on certain obligations of the United States government from federal ~~adjusted gross taxable~~ income. To qualify for this subtraction, the obligation must meet the following conditions:

A. ~~The interest income on the obligation must have been included in federal adjusted gross income for the taxable year that the subtraction is claimed. If only a portion of the interest income on an obligation has been included in federal adjusted gross income, only the included portion may be subtracted.~~ For the purposes of these conditions, "interest" includes:

(1) income reported federally as ordinary income pursuant to the Internal Revenue Code, sections 454 and 1271 through 1286; and

(2) dividends from regulated investment companies as defined by the Internal Revenue Code, sections 851(a) or (b), to the extent that the income of the regulated investment company is derived from interest on federal obligations and is reported federally as dividend income by shareholders.

B. The obligation must be an obligation of the United States of America, whether through an agency, authority, commission, or instrumentality of the United States, and must be exempt from state taxation under federal law. ~~This means that the full faith and credit of the United States must be pledged to the payment of the underlying obligation.~~

C. The obligation must be in writing, bear interest, contain a binding promise by the United States to pay specified sums on specified dates, and be specifically authorized by Congress, and be supported by a pledge of full faith and credit of the United States. Open accounts and other unsettled claims or demands are not obligations of the United States for the purposes of this subtraction part.

[For text of item D, see M.R.]

E. The interest income on the obligation must have been included in federal taxable income for the taxable year that subtraction is claimed. If only a portion of the interest income on an obligation has been included in federal taxable income, only the included portion may be subtracted. Where the interest is in the form of dividends from a regulated investment company and all of the regulated investment company's interest is derived from interest on obligations that are exempt from state taxation by federal law, the full amount of the dividends received by shareholders may be subtracted. Where less than the full amount is derived from interest on exempt obligations, the amount to be subtracted is determined as follows:

<u>Regulated investment company's interest income on federal obligations less expenses attributable to such income</u>	\div	<u>Regulated investment company's taxable income before deduction for dividends paid</u>	$=$	<u>Percent of dividends received by shareholders that qualify as exempt</u>
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In the case of a series fund, as defined by the Internal Revenue Code, section 851(h), the portion of the dividends paid that is exempt from Minnesota income tax must be determined on a fund-by-fund basis.

Subp. 2. **Exhibits.** Subpart 3 contains a list of securities that have been determined to be exempt from Minnesota income tax and for which a subtraction is allowed. Subpart 4 contains a list of securities that have been determined to be taxable by the state of are subject to Minnesota income tax and for which no subtraction is allowed. Subparts 5 and 6 contain lists of various federal agencies or related organizations that either generally issue exempt obligations or generally issue taxable obligations. These lists are not intended to be conclusive on the taxable status of any particular obligation issued by or in conjunction with a listed agency or organization. Even though a listed agency generally only issues either exempt obligations or taxable obligations, it does not follow that each and every obligation carrying the name of that particular agency is either exempt or taxable. An agency may issue its own obligations that are exempt and also may handle private obligations that are not exempt. For example, the agency may administer, purchase and sell, insure, or guarantee an otherwise private obligation. Such action by the agency does not convert a private obligation into a direct and primary obligation of the United States of America and, therefore, does not make the private obligation tax exempt. The taxable status of each obligation must be determined separately in accordance with subpart 1, items A to ~~D~~ E.

Subp. 3. **Exempt obligations listed by name of security.**

Name of Security	Agency	Authority as amended through 4-1-82 6-15-92
A. Banks for Cooperatives bonds	Banks for Cooperatives	12 USC S 2134
B. Farmers Home Administration notes, as defied in Tobak v. Commissioner	Farmers Home Administration	31 USC S 742 3124, Tobak v. Commissioner, docket number 2244 Minn. tax court (March 10, 1977)
C. Consolidated collateral trust debentures	Federal Intermediate Credit Banks	12 USC S 2079 2077
D. Consolidated discount notes	Federal Home Loan Banks	12 USC 1433

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Proposed Rules

Name of Security	Agency	Authority as amended through 1-1-82 <u>6-15-92</u>
E. Consolidated Federal Home Loan Bank notes	Federal Home Loan Banks	12 USC S 1433
E. Consolidated Federal Home Loan Bank notes	Federal Home Loan Banks	12 USC S 1433
F. Consolidated Federal Farm Loan bond	Federal Land Banks	12 USC S 2055 <u>2023</u>
G. Federal Farm Credit Banks consolidated systemwide bonds and notes	Federal Land Banks, Federal Intermediate Credit Banks	12 USC SS 2055 <u>2023, 2079, 2077,</u> and 2134
H. U.S. freedom shares	U.S. Treasury Department	31 USC SS 742, 753, and 757e <u>S 3124</u>
I. U.S. savings bonds	U.S. Treasury Department	31 USC SS 742, 753, and 757e <u>3105 and 3124</u>
J. U.S. Treasury bills	U.S. Treasury Department	31 USC SS 742, 753, and 757e <u>3105 and 3124</u>
K. U.S. Treasury bonds	U.S. Treasury Department	31 USC SS 742, 753, and 757e <u>3102 and 3124</u>
L. U.S. Treasury certificates of indebtedness	U.S. Treasury Department	31 USC SS 742, 753, and 757e <u>3104 and 3124</u>
M. United States notes	U.S. Treasury Department	31 USC SS 742, 753, and 757e <u>3103 and 3124</u>
<u>N. Industrial Development Bonds of East Samoa</u>	<u>American Samoa</u>	<u>48 USC S 1670</u>
<u>O. Proprietary zero-coupon certificates</u>	<u>U.S. Treasury Department</u>	<u>31 USC S 3124</u>
<u>P. United States Postal Service bonds</u>	<u>U.S. Postal Service</u>	<u>39 USC S 2005</u>
<u>Q. Virgin Islands general obligation bonds</u>	<u>Virgin Islands</u>	<u>48 USC S 1574(b)(ii)(A)</u>
<u>R. Virgin Islands Public Improvement bonds</u>	<u>Virgin Islands</u>	<u>48 USC S 1574(b)(i)</u>

Subp. 4. Taxable obligations listed by name of security.

Name of Security	Agency	Authority as amended through 1-1-82 <u>6-15-92</u>
A. Certificate of beneficial interest (CBI's)	Export-Import Bank of the U.S. (Eximbank)	12 USC SS 635 and 635d

Name of Security	Agency	Authority as amended through 1-1-82 <u>6-15-92</u>
B. Eximbank debentures	Export-Import Bank of the U.S. (Eximbank)	12 USC S 615
C. Participation certificates (PC's)	Export-Import Bank of the U.S. (Eximbank)	12 USC S 635
D. Federal Assets Financing Trust participation certificates	Government National Mortgage Association (GNMA)	12 USC SS 1717 (c) and 1721
E. Federal Assets Liquidation Trust participation certificates	Government National Mortgage Association (GNMA)	12 USC SS 1717(c), 1721, and 1723 c
F. GNMA mortgage-backed bonds	Government National Mortgage Association (GNMA)	12 USC SS 1717(c) and 1721
G. GNMA pass-through Securities	Government National Mortgage Association (GNMA)	12 USC SS 1717(c) and 1721
H. Government Mortgage Liquidation Trust Participation certificates	Government National Mortgage Association (GNMA)	12 USC SS 1717(c) and 1721
I. National Government Securities Trust	Government National Mortgage Association (GNMA)	12 USC SS 1717(c) and 1721
J. Mortgage participation certificates (PC's)	Federal Home Loan Mortgage Corporation	12 USC SS 1452(d) and 1455
K. Guaranteed mortgage certificates (GMC's)	Federal Home Loan Mortgage Corporation	12 USC SS 1452(d) and 1455
L. New communities debentures	Privately issued under HUD program	42 USC SS 3902 and 4514
M. Certificate of beneficial ownership (CBO's)	Farmers Home Administration	7 USC SS 1922-1928

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Proposed Rules

Name of Security	Agency	Authority as amended through 4-1-82 6-15-92
N. SBIC debentures	Small Business Investment Companies	15 USC S 687(e)
O. <u>Rural Telephone debentures</u>	<u>Rural Electrification Administration</u>	<u>7 USC S 947(a)</u>
P. <u>Small Business Administration notes</u>	<u>Small Business Administration</u>	<u>15 USC S 633</u>

Subp. 5. Agencies which generally issue exempt obligations.

Notice: This listing is only a guide and is not conclusive on the issue of the taxable status of an obligation. Each obligation issued by a listed agency must be separately analyzed according to subpart 1, items A to D E.

Name of Agency	Types of Securities	Authority as amended through 4-1-82 6-15-92
A. Bank for Cooperatives	Notes, debentures, and other obligations issued by the instrumentality	12 USC S 2134
B. Commodity Credit Corporation	Bond, notes, debentures, and other similar obligations	713a-5
C. Federal Deposit Insurance Corporation	All notes, debentures, bonds, or other obligations	12 USC S 1825
D. Federal Farm Credit Association	Obligations	12 USC SS 2055, 2079, 2134, and 2098 <u>2023,</u> <u>2027,</u> <u>2098,</u> <u>2134, and</u> <u>2278(b)-10</u>
E. Federal Home Loan Banks	Notes, debentures, bonds, and other obligations issued by the bank	12 USC S 1433
F. Federal Intermediate Credit Banks	Notes, bonds, and debentures issued by the instrumentality	12 USC S 2079
G. Federal Land Bank Associations	Notes, bonds, debentures, and other obligations issued by the instrumentality	12 USC S 2055 <u>2098</u>

Name of <u>Instrumentality</u> <u>Agency</u>	Types of Securities	Authority as amended through 1-1-82 6-15-92
H. Federal Land Banks	(a) Mortgages held by the instrumentality, (b) Notes, bonds, debentures, and other obligations issued by <u>the instrumentality</u>	12 USC S 2055 <u>2023</u> 12 USC S 2055 <u>2023</u>
I. Federal Savings & Loan Insurance Corporation	All notes, debentures, bonds, or other obligations	12 USC S 1725(e)
J. General Insurance Fund of the Department of Housing and Urban Development, including	Debentures	
(1) Rental Housing Insurance	i.	12 USC S 1713(i)
(2) Rental Housing Project	ii.	12 USC S 1747g(g)
(3) War Housing Insurance	iii.	12 USC S 1739(d)
(4) Armed Services Housing	iv.	12 USC S 1748b(f)
(5) National Defense Housing Insurance	v.	12 USC S 1750c(d)
(6) Neighborhood Conservation Housing Insurance	vi.	12 USC S 1715k (h) (7)
K. Panama Canal bonds	<u>Bonds</u>	34 <u>USC</u> SS 744 <u>and 745</u>
L. Production Credit Associations	Notes, debentures, and other obligations issued by <u>the instrumentality</u>	12 USC S 2098 <u>2077</u>
M.		
<u>L.</u> Puerto Rico	Bonds	48 USC S 745
N.		
<u>M.</u> Tennessee Valley Authority	Bonds	16 USC S 831n-4(d)
O.		
<u>N.</u> U.S. Postal Service	Obligations	39 USC S 2005(d)(4)
P.		
<u>O.</u> Virgin Islands	Bonds	48 USC S 1574

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Name of Instrumentality Agency	Types of Securities	Authority as amended through 4-1-82 6-15-92
P. <u>Farm Credit System Financial Assistance Corporation</u>	<u>Notes, bonds, debentures, and other obligations</u>	<u>12 USC S 2278b-10</u>
Q. <u>Financing Corporation</u>	<u>Notes, debentures, and other obligations</u>	<u>12 USC S 1441</u>
R. <u>Guam</u>	<u>Bonds</u>	<u>48 USC S 1423a</u>
S. <u>Resolution Funding Corporations</u>	<u>All notes, debentures, bonds, and other obligations</u>	<u>12 USC S 1441a</u>
T. <u>Student Loan Marketing Association</u>	<u>Bonds and notes</u>	<u>20 USC S 1087-2</u>

Subp. 6. **Agencies or organizations which generally issue taxable obligations.**

Notice: This listing is only a guide and is not conclusive on the issue of the taxable status of an obligation. Each obligation issued by a listed agency must be separately analyzed according to subpart 1, items A to ~~D~~ E.

Name of Agency or Organization	Types of Securities	Authority as amended through 4-1-82 6-15-92
A. Asian Development Bank	Obligations	22 USC SS 285-285t
B. District of Columbia Armory Board	Obligations	31 USC S 742(a) 3124(a)
C. Environmental Financing Authority	Obligations	33 USC S 1281 note, P.L. 92-500 S 12(j)
D. Export-Import Bank	Notes, debentures, bonds, or other obligations	12 USC SS 635-635n
E. Farmers Home Administration	Obligations	7 USC SS 1922-1928
F. Federal Home Loan Mortgage Corporation	Obligations	12 USC S 1455
G. Federal National Mortgage Association (FNMA)	Obligations, mortgage-backed securities, subordinated obligations, participation certificates (PC's)	12 USC S 1719(e)

Name of <u>Agency</u> <u>or Organization</u>	Types of Securities	Authority as amended through 1-1-82 <u>6-15-92</u>
H. Government National Mortgage Association (GNMA)	Obligations, mortgage-backed securities, participation certificates (PC's)	12 USC SS 1717(c), 1721, and 1723c
I. Inter-American Development Bank	Obligations	22 USC SS 283-283z
J. International Bank for Reconstruction and Development (World Banks)	Obligations	22 USC SS 286-286r
K. International Monetary Fund	Obligations	22 USC SS 286-286r
L. Maritime Administration Merchant Marine	Private obligations guaranteed by agency	46 USC S 1273
M. National Consumer Cooperative Bank	Obligations	12 USC S 3017(d) <u>3017(c)</u>
N. New community development corporations	Bonds, debentures, notes, and other obligations issued on behalf of private new community developers and state land development agencies which are guaranteed by HUD	42 USC SS 3902 and 4514
O. Small Business Investment Companies	Debenture bonds, promissory notes, and other obligations	15 USC S 687(e)
P. Washington Metropolitan Area Transit Authority (WMATA)	Bonds	40 USC SS 651-671
Q. Federal Financing Bank	Obligations issued by the bank	12 USC S 2283 and 31 USC S 742 <u>2288</u>

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Name of <u>Agency</u> or <u>Organization</u>	Types of Securities	Authority as amended through 4-1-82 6-15-92
R. Q. Federal Reserve banks	Obligations	12 USC S 502 and 12 USC S 531 548
S. Student Loan Marketing Association	Bonds and notes	20 USC S 1007-2
R. <u>College</u> <u>Construction</u> <u>Loan Insurance</u> <u>Association</u>	<u>Obligations</u>	<u>20 USC S</u> <u>1132</u>
S. <u>Small</u> <u>Business</u> <u>Administration</u>	<u>Notes</u>	<u>15 USC S</u> <u>633</u>

RELETTERING. In the next edition of *Minnesota Rules*, the revisor of statutes shall place all items in part 8002.0300, subparts 3, 4, 5, and 6 in alphabetical order and reletter accordingly.

Executive Orders

Executive Department

Emergency Executive Order 92-14: Providing for Personnel and Equipment for the Prairie Island Nuclear Power Plant Exercise

I, ARNE H. CARLSON, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and the applicable statutes, do hereby issue this Executive Order:

WHEREAS, the Minnesota Department of Public Safety, Division of Emergency Management, has requested assistance in providing personnel and equipment to support the Prairie Island Nuclear Power Plant Exercise; and

WHEREAS, adequate personnel and equipment are not available from the Department of Public Safety, other participating state agencies, Dakota and Goodhue Counties of Minnesota, and other local authorities;

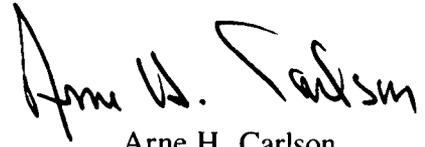
NOW, THEREFORE, I hereby order that:

1. The Adjutant General of Minnesota order to active duty on or about August 4, 1992; August 12, 1992; September 15, 1992; and September 16, 1992, in service of the State, such personnel and equipment of the military forces of the State as required to provide the necessary support needed by the Department of Public Safety and Dakota and Goodhue Counties to successfully complete the Prairie Island Nuclear Power Plant Exercise.

2. The cost of subsistence, transportation, fuel, and pay and allowances of said individuals shall be defrayed by the Department of Public Safety, Division of Emergency Management, as provided by an inter-agency agreement dated July 17, 1989.

Pursuant to *Minnesota Statutes* 1990, Section 4.035, subd. 2, this Order shall be effective August 4, 1992 through September 16, 1992.

IN TESTIMONY WHEREOF, I have set my hand this fifteenth day of September, 1992.



Arne H. Carlson
Governor

Filed According to Law:

Joan Anderson Growe
Secretary of State

Dated: 15 September 1992

Emergency Rules

Proposed Emergency Rules

According to Minn. Stat. of 1984, §§14.29-14.30, state agencies may propose adoption of emergency rules if: 1) expressly required; 2) authorized by statute; or 3) if the manner permitted by a directive (given by statute, federal law or court order) does not allow for compliance with sections 14.14-14.28. The agency must, however, publish a notice of intent to adopt emergency rules, along with the rules themselves, in the *State Register*. The notice must advise the public:

- 1) that a free copy of the proposed emergency rule is available upon request from the agency;
- 2) that notice of the date that the rule is submitted to the attorney general will be mailed to persons requesting notification;
- 3) that the public has at least 25 days after publication of the proposed emergency rule to submit data and views in writing; and
- 4) that the emergency rule may be modified if the data and views submitted support such modification.

Adopted Emergency Rules

Emergency rules take effect five working days after approval by the attorney general, and after compliance with Minn. Stat. §§14.29-14.365. As soon as possible, emergency rules are published in the *State Register* in the manner provided for in section 14.18.

Emergency rules are effective for the period stated in the notice of intent to adopt emergency rules. This may not exceed 180 days:

Continued/Extended Emergency Rules

Adopted emergency rules may be continued in effect (extended) for an additional 180 days. To do this, the agency must give notice by: 1) publishing notice in the *State Register*; and 2) mailing the same notice to all persons who requested notification on rulemaking. No emergency rule may remain in effect 361 days after its original effective date. At that point, permanent rules adopted according to Minn. Stat. 14.14-14.28 supercede emergency rules.

Department of Natural Resources

Adopted Emergency Game and Fish Rules; Controlled Hunting Zones; Taking Ducks, Coots, Moorhens, Geese; Migratory Waterfowl Feeding and Resting Areas

ADOPTED EMERGENCY AMENDMENTS TO AND PARTIAL EMERGENCY REPEAL OF COMMISSIONER'S ORDERS

6230.0400 SPECIAL PROVISIONS FOR STATE GAME REFUGES.

[For text of subs 1 to 5, see 16 SR 2800]

Subp. 6. ~~Goose~~ Refuges open to goose hunting. The Douglas County Goose Refuge in Douglas county, the Fox Lake Game Refuge in Martin County, the Otter Tail County Goose Refuge in Otter Tail county, the St. James ~~Goose~~ Game Refuge in Watonwan

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Emergency Rules

county, and the Sauk Rapids-Rice Goose Refuge in Benton county may be open to the taking of geese as prescribed in the annual hunting regulations and as follows:

A. The Douglas County Goose Refuge, the Otter Tail County Goose Refuge, and the Sauk Rapids-Rice Goose Refuge are open to goose hunting October 3 through November 21, 1992. Taking waterfowl from public roads and their rights-of-way is prohibited.

B. The Fox Lake Game Refuge and the Saint James Game Refuge are open to goose hunting November 14 through November 21, 1992.

6230.0600 DESCRIPTIONS OF CONTROLLED HUNTING ZONES.

[For text of subs 1 to 7, see 16 SR 2804, 2805]

Subp. 8. Orwell zone. On the Orwell Wildlife Management Area Sanctuary in Otter Tail County, the controlled hunting zone including the following:

The west 200 yards of Section 26, Township 132 North, Range 44 West, adjacent to County Road 15 from the northwest corner of the Orwell Wildlife Sanctuary south to the Otter Tail River.

6230.0900 ELM LAKE AND ORWELL SPECIAL PROVISIONS.

Subpart 1. Time period for special provisions. In addition to the general regulations, the following subparts apply to all persons in the Elm Lake Controlled Hunting Zone during the period from the opening date of the goose season to the Monday nearest October 22 and in the Orwell Controlled Hunting Zone during the regular goose season.

[For text of subs 2 to 6, see 16 SR 2806]

6240.0700 TAKING OF DUCKS, COOTS, AND MOORHENS.

Subpart 1. Open seasons. Open seasons for ducks, coots, and moorhens are determined annually by the commissioner. Information on open season dates can be found in the annual hunting regulations and as follows:

Ducks, coots, and moorhens (gallinules) may be taken statewide during three time periods: October 3 to October 11, October 15 to November 1, and November 6 to November 8.

Subp. 2. Daily limits. Daily limits for ducks, coots, and moorhens are determined annually by the commissioner. Information on these limits can be found in the annual hunting regulations and as follows:

A person may not in any one day take more than three ducks other than mergansers, five mergansers, and a total of fifteen coots and moorhens (gallinules). The daily limit of ducks other than mergansers may not include more than two mallards of which not more than one may be a female mallard, one black duck, one redhead, one pintail, and two wood ducks. The daily limit of mergansers may not include more than one hooded merganser. Canvasbacks may not be taken at any time.

6240.0800 TAKING GEESE IN WEST CENTRAL GOOSE ZONE.

Subpart 1. Open season. The open season for geese in the West Central Goose Zone is determined annually by the commissioner. Information on open season dates can be found in the annual hunting regulations and as follows:

Canada and white-fronted geese may be taken during the 40-day period beginning the Saturday on or nearest October 1, except that the season may close earlier in the Lac qui Parle Zone as provided in part 6240.1000.

[For text of subp 2, see 16 SR 2860]

6240.1000 TAKING GEESE IN LAC QUI PARLE GOOSE ZONE.

Subpart 1. Open season. The open season for geese in the Lac qui Parle Goose Zone is determined annually by the commissioner. Information on open season dates can be found in the annual hunting regulations and as follows:

Geese may be taken during the 40-day period beginning the Saturday on or nearest October 1, except that the season on geese will be closed earlier if and when the harvest index of Canada geese in the Lac qui Parle Zone reaches 6,000 as determined by the commissioner. The commissioner will provide public notice of such closing, no less than 48 hours prior to the effective time of closing, by: (1) issuing a news release specifying the time of closing and describing the zone, and (2) posting written notices of the same at the headquarters of the Lac qui Parle Wildlife Area and at four other points around the perimeter of the zone.

[For text of subp 2, see 16 SR 2860]

6240.1100 TAKING GEESE IN SOUTHEAST GOOSE ZONE.

Subpart 1. Open season. The open season for geese in the Southeast Goose Zone is determined annually by the commissioner. Information on open season dates can be found in the annual hunting regulations and as follows:

Canada and white-fronted geese may be taken during the 70-day period beginning the Saturday on or nearest October 1. In Olmsted county and in the Twin Cities Metropolitan Goose Zone, Canada geese may also be taken as provided in part 6240.2100.

[For text of subp 2, see 16 SR 2860]

6240.1200 TAKING GEESE IN REMAINDER OF STATE.

Subpart 1. **Open season.** The open season for geese in the remainder of the state is determined annually by the commissioner. Information on open season dates can be found in the annual hunting regulations and as follows:

Canada and white-fronted geese may be taken during the 50-day period beginning the Saturday on or nearest October 1.

[For text of subp 2, see 16 SR 2860]

6240.1300 TAKING SNOW GEESE.

The open season for snow geese is determined annually by the commissioner. Information on open season dates can be found in the annual hunting regulations and as follows:

Snow geese may be taken statewide during the 80-day period beginning the Saturday on or nearest October 1, except that the snow goose season in the Lac qui Parle Goose Zone will be closed when the season for Canada and white-fronted geese closes as provided in part 6240.1000.

6240.1400 DAILY LIMITS ON TAKING GEESE.

Daily limits on the taking of geese are determined annually by the commissioner. Information on daily limits can be found in the annual hunting regulations and as follows:

A person may not take more than seven geese in any one day. The daily limit may not include more than two white-fronted geese and two Canada geese or subspecies, except in the West Central Goose Zone (including the Lac qui Parle Goose Zone) where the daily limit of Canada geese is one.

6240.2100 LATE SEASON FOR TAKING GEESE.

Subpart 1. **Open season.** Canada geese may be taken in the Twin Cities Metropolitan Canada Goose Zone and in Olmsted County during the ten-day period in December as determined annually by the commissioner. Information on this season can be found in the annual hunting regulations and as follows:

Canada geese may be taken during the ten-day period beginning December 15.

[For text of subp 2, see 16 SR 2862]

Subp. 3. [See repealer.]

Subp. 3a. Taking near water. Taking Canada geese on or within 100 yards of all surface waters is prohibited in the Twin Cities Metropolitan Canada Goose Zone during the late season established by this part.

[For text of subp 4, see 16 SR 2862]

6240.2200 MIGRATORY WATERFOWL FEEDING AND RESTING AREA RESTRICTIONS.

[For text of subs 1 to 3, see 16 SR 2862]

Subp. 4. **Use of electric motors.** On the lakes listed in items A to ~~F~~ **G**, a person may use an electric motor of less than 30 pounds thrust within the designated migratory waterfowl feeding and resting area during the open waterfowl season:

~~A. Aitkin county: Part of Flowage Lake and the Sandy River Flowage, part of Sandy River Lake, and Prairie and Savanna River Flowage;~~

~~B. Beltrami county: Puposky Lake, Little Puposky Lake;~~

~~C. B. Carver county: Tiger Lake;~~

~~D. Freeborn county: Bear Lake;~~

~~E. C. Jackson county: Part of South Heron Lake, all of North Heron Lake, except Winger Bay and North Marsh;~~

~~F. D. Kandiyohi county: Wagonga Lake, Lake Lillian;~~

~~G. E. McLeod county: Bakers Lake, Unnamed Lake, in T. 114 N., R. 29W, S. 28;~~

~~H. F. Polk county: Turtle Lake; and~~

~~I. G. Traverse county: Part of Mud Lake.~~

6240.2300 DESIGNATED MIGRATORY WATERFOWL FEEDING AND RESTING AREAS.

Subpart 1. **Designation of entire lakes.** The following lakes are designated as migratory waterfowl feeding and resting areas:

	Name	Location	County
A.	Bakers Lake	T.114N; R.29W	McLeod

Emergency Rules

	Name	Location	County
B.	Bear Lake	T.101N; R.22W	Freeborn
C.	Big Rice Lake	T.140, 141N; R.26W	Cass
D.	Cottonwood Lake	T.106N; R.25W	Blue Earth
E.	Diamond Lake	T.110N; R.23W	Le Sueur
F.	Dora Lake	T.110N; R.23W	Le Sueur
G.	Lake Johanna	T.123N; R.36W	Pope
H.	<u>Lake Lillian</u>	<u>T.117N; R.33, 34W</u>	<u>Kandiyohi</u>
I.	Little Puposky Lake	T.149N; R.33, 34W	Beltrami
<u>J.</u>	<u>Mud Lake</u>	<u>T.131N; R.43W</u>	<u>Otter Tail</u>
<u>K.</u>	<u>Mud Lake</u>	<u>T.114N; R.26W</u>	<u>Sibley</u>
<u>L.</u>	Nelson Lake	T.124N; R.38W	Pope
J.	Oak Leaf Lake		
<u>M.</u>	<u>Oakleaf Lake</u>	T.110N; R.26W	Nicollet
K. <u>N.</u>	Pleasant Lake	T.113N; R.23W	Scott
L. <u>O.</u>	Puposky Lake	T.149N; R.33, 34W	Beltrami
M. <u>P.</u>	Rice Lake	T.148, 149N; R.27W	Itasca
N. <u>Q.</u>	Sanborn Lake	T.112N; R.23W	Le Sueur
O. <u>R.</u>	Scotch Lake	T.110N; R.25W	Le Sueur
P. <u>S.</u>	Squaw Lake	T.148, 149N; R.27W	Itasca
Q. <u>T.</u>	Tiger Lake	T.115N; R.26W	Carver
R. <u>U.</u>	Turtle Lake	T.148N; R.39W	Polk
S. <u>V.</u>	Unnamed Lake	T.114N; R.29W; S.28	McLeod
T. <u>W.</u>	Upper Rice Lake	T.145N; R.36, 37W	Clearwater
U. <u>X.</u>	Wagonga Lake	T.118, 119N; R.34, 35W	Kandiyohi
V. <u>Y.</u>	Washington Lake	T.114N; R.26W	Sibley

[For text of subps 2 to 8, see 16 SR 2863]

Subp. 9. [See repealer.]

Subp. 10. [See repealer.]

Subp. 11. [See repealer.]

REPEALER. Commissioner's Order Number 2450, parts 6240.2100, subpart 3; and 6240.2300, subparts 9, 10, and 11, are repealed.

Official Notices

Pursuant to the provisions of Minnesota Statutes § 14.10, an agency, in preparing proposed rules, may seek information or opinion from sources outside the agency. Notices of intent to solicit outside opinion must be published in the *State Register* and all interested persons afforded the opportunity to submit data or views on the subject, either orally or in writing.

The *State Register* also publishes other official notices of state agencies, notices of meetings, and matters of public interest.

Minnesota Board of Chiropractic Examiners, Minnesota Board of Dentistry, Minnesota Board of Medical Practice, Minnesota Board of Nursing, Minnesota Board of Podiatric Medicine

Notice of Intent to Solicit Outside Opinion Regarding Proposed Amendments for Continuing Education Requirements

NOTICE IS HEREBY GIVEN that the Minnesota Board of Chiropractic Examiners, Minnesota Board of Dentistry, Minnesota Board of Medical Practice, Minnesota Board of Nursing and the Minnesota Board of Podiatric Medicine are drafting amendments authorized by *Laws of Minnesota 1992*, chapter 559, article 1, section 8, concerning the requirement that all licensees obtain instruction or continuing education in the subject of infection control including bloodborne diseases.

The Minnesota Board of Chiropractic Examiners is drafting amendments to *Minnesota Rules*, chapter 2500, concerning the subject of infection control in Continuing Education.

The Minnesota Board of Dentistry is drafting amendments to *Minnesota Rules*, chapter 3100, concerning the subject of infection control in Continuing Dental Education.

The Minnesota Board of Medical Practice is drafting amendments to *Minnesota Rules*, chapter 5605, concerning the subject of infection control in Continuing Education.

The Minnesota Board of Nursing is drafting amendments to *Minnesota Rules*, chapter 6310, concerning the subject of infection control in Continuing Education.

The Minnesota Board of Podiatric Medicine is drafting amendments to *Minnesota Rules*, chapter 6900, concerning the subject of infection control in Continuing Education.

All interested persons or groups are requested to participate. Statements of information and comment may be made orally or in writing. Written statements of information and comment may be addressed to:

Eileen Hanlon
Administrative Rules Writer
Infection Control Program
2700 University Avenue West, Suite 40
St. Paul, Minnesota 55114

Oral statements of information and comment will be received during regular business hours over the telephone at (612) 642-0402.

All statements of information and comment will be accepted until further notice is given or the Notice of Hearing or Notice of Intent to Adopt Without a Hearing are published in the *State Register*. Any written material received by the Boards shall become part of the hearing record.

Department of Commerce

Maximum Lawful Rate of Interest for Mortgages and Contracts for Deed for the Month of October 1992

NOTICE IS HEREBY GIVEN that pursuant to *Minnesota Statutes*, Section 47.20, Subdivision 4a, the maximum lawful rate of interest for conventional home mortgages and contracts for deed for the month of October 1992 is eleven and eighty-one one-hundredths (11.81) percentage points.

Dated: September 1992

Bert J. McKasy
Commissioner of Commerce

Minnesota Comprehensive Health Association

Notice of Meeting of the Communications Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Communications Committee will be held at 4:00 p.m. on Wednesday, September 30, 1992 at Blue Cross and Blue Shield of Minnesota, 3535 Blue Cross Road, Eagan, Minnesota in the "Fish Bowl."

For additional information please call Lynn Gruber at (612) 593-9609.

Minnesota Comprehensive Health Association

Notice of Meeting of the Research Committee

NOTICE IS HEREBY GIVEN that a meeting of the Minnesota Comprehensive Health Association (MCHA), Research Committee will be held at 8:30 a.m. on Tuesday, September 29, 1992 at the Minnesota Comprehensive Health Association, 5775 Wayzata Boulevard, Suite 910, St. Louis Park, Minnesota.

For additional information please call Lynn Gruber at (612) 593-9609.

State Board of Education

Special Education Section

Notice of Solicitation of Outside Information or Opinions Regarding Proposed Special Education Rules Governing Eligibility Criteria for Learners with Emotional or Behavioral Disorders; Mentally Impaired: Moderate/Severe; Specific Learning Disability; Speech or Language Impairments and Use of Behavioral Interventions with Pupils

NOTICE IS HEREBY GIVEN that the State Board of Education is seeking information or opinions from sources outside the board in preparing the adoption of rules governing eligibility into Special Education Services for Individuals with Emotional or Behavioral Disorders; Mentally Impaired: Moderate/Severe; Specific Learning Disability; Speech or Language Impairments and Use of Behavioral Interventions with Pupils. The adoption of these rules is authorized by *Minnesota Statutes*, Section 169.45.

The State Board of Education requests information and opinions concerning the subject matter of the rules. Interested persons or groups may submit data or view on the subject matter of concern in writing or orally. Written statements should be addressed to: Wayne Erickson, Minnesota Department of Education, 811 Capitol Square, 550 Cedar Street, St. Paul, MN 55101. Oral statements will be received during regular business hours over the telephone at (612) 296-1793 and in person at the above address.

All statements of information and opinions shall be accepted until October 23, 1992. Any written material received by the State Board of Education shall become part of the rulemaking record to be submitted to the Attorney General or Administrative Law Judge in the event the rules are amended.

Dated: 15 September 1992

Gene Mammenga
Commissioner of Education
Secretary/Board of Education

Commissioner of Health

Notice of Completed Application and Notice of and Order for Hearing

In the Matter of the License Application of Pelican Rapids Ambulance Service, Inc., Pelican Rapids, Minnesota

PLEASE TAKE NOTICE that the Commissioner of Health (hereinafter "Commissioner") has received a completed application from Pelican Rapids Ambulance Service, Inc., Pelican Rapids, Minnesota to change the current license from Basic Ambulance Service to Advanced Ambulance Service.

IT IS HEREBY ORDERED AND NOTICE IS HEREBY GIVEN that, pursuant to *Minnesota Statutes* §§ 14.57-14.69 and *Minnesota Statutes* § 144.802 a public hearing will be held on October 27, 1992 at Pelican Valley Health Center, 211 East Mill, Pelican Rapids, Minnesota, commencing at 7 p.m. If you have an interest in this matter you are hereby urged to attend the public hearing. Failure to do so may prejudice your rights in this and any subsequent proceedings in this matter.

1. The purpose of the hearing is to determine whether the application from this ambulance service should be granted based upon the criteria set forth in *Minnesota Statutes* § 144.802, subd. 3(g).

2. This proceeding has been initiated pursuant to and will be controlled in all aspects by *Minnesota Statutes* §§ 144.801-144.8093, *Minnesota Statutes* §§ 14.57-14.69, and Rules for Contested Cases of the Office of Administrative Hearings, *Minnesota Rules* 1400.5100-1400.8402. Copies of the rules and statutes may be obtained for a fee from the Department of Administration, Public Documents Division, 117 University Avenue, St. Paul, Minnesota 55155, telephone: (612) 297-3000.

3. Steve M. Mihalchick, Office of Administrative Hearings, 100 Washington Square, Suite 1700, Minneapolis, Minnesota 55401-2138, telephone: (612) 349-2544, will preside as administrative law judge at the hearing, and will make a written recommendation on this application. After the hearing, the record and the administrative law judge's recommendation will be forwarded to the Commissioner to make the final determination in the matter.

4. Any person wishing to intervene as a party must submit a petition to do so under *Minnesota Rules* 1400.6200 on or before October 19, 1992. This petition must be submitted to the administrative law judge and shall be served upon all existing parties and the Commissioner. The petition must show how the contested case affects the petitioner's legal rights, duties or privileges and shall state the grounds and purposes for which intervention is sought and indicate petitioner's statutory right to intervene if one exists.

5. In addition to or in place of participating at the hearing, any person may also submit written recommendations for the disposition of the application. These recommendations must be mailed to the administrative law judge on or before October 28, 1992.

6. Any subpoena needed to compel the attendance of witnesses or the production of documents may be obtained pursuant to *Minnesota Rules* 1400.7000.

7. At the hearing the applicant will present its evidence showing that a license should be granted and that all persons will be given an opportunity to cross-examine witnesses, to be heard orally, to present witnesses, and to submit written data or statements. All persons are encouraged to participate in the hearing and are requested to bring to the hearing all documents, records, and witnesses needed to support their position. It is not necessary to intervene as a party in order to participate in the hearing.

8. Please be advised that if nonpublic data is admitted into evidence, it may become public data unless an objection is made and relief is requested under *Minnesota Statutes* § 14.60, subd. 2.

9. You are hereby informed that you may choose to be represented by an attorney in these proceedings, may represent yourself, or be represented by a person of your choice if not otherwise prohibited as the unauthorized practice of law.

10. A Notice of Appearance must be filed with the administrative law judge identified above within 20 days following receipt of the Notice by any person intending to appear at the hearing as a party.

11. In accordance with the provisions of *Minnesota Statutes* § 14.61, the final decision of the Commissioner in this proceeding will not be made until the Report of the Administrative Law Judge has been made available to the parties in this proceeding for at least 10 days. Any party adversely affected by the Report of the Administrative Law Judge has the right to file exceptions and present arguments to the Commissioner. Any exceptions or arguments must be submitted in writing and filed with the Commissioner of Health, 717 Delaware Street Southeast, Minneapolis, Minnesota 55440, within 10 days of the receipt of the Administrative Law Judge's Report.

State Board of Investment

Administrative Committee Meeting Notice

The State Board of Investment Administrative Committee will meet on Friday, October 2, 1992 in the SBI Conference Room, MEA Building, Room 105, 55 Sherburne Avenue, St. Paul, MN from 8:30 a.m. to 9:30 a.m.

Department of Labor and Industry

Labor and Standards Division

Notice of Prevailing Wage Determinations for Commercial Projects

On September 28, 1992 the commissioner certified prevailing wage rates for commercial projects construction in Clearwater county. Project(s) are: MN/DOT Bagley Truck Station.

Copies of the determined wage rates for Minnesota counties may be obtained by writing the Minnesota Department of Labor and Industry, Prevailing Wage Section, 443 Lafayette Road, St. Paul, Minnesota 55155-4306, or calling (612) 296-6452. The charges for the cost of copying and mailing are \$1.00 for the first copy and \$.50 for any additional copies. Please note that the cost for one county varies according to the number of pages per county.

John B. Lennes, Jr.
Commissioner

Metropolitan Waste Control Commission

Public Notice for Prequalifications for Professional Services

NOTICE IS HEREBY GIVEN that the Metropolitan Waste Control Commission is soliciting prequalifications for professional services for Blaine Interceptor Step II Design Phase, MWCC Project Number 855600:

The work will consist of:

1. Providing a Basis of Design Memorandum that will contain recommendations regarding construction of a gravity sewer system to convey wastewater which is to serve the central and south-central portions of Blaine which is presently unsewered.
2. Providing a Detailed Design that will consist of preparation of bidding documents for construction of the interceptor as set forth in the Basis of Design Memorandum.

Official Notices

All firms interested in being considered for this Project are invited to submit a Letter Of Interest (LOI) asking for the project Request For Qualifications (RFQ).

All inquiries and submittals are to be addressed to:

Mr. Joseph H. Edwards, PE, CCS, CSI
Manager, Contracts & Documents Division
Metropolitan Waste Control Commission
Mears Park Centre
230 East Fifth Street
St. Paul, MN 55101
(612) 229-5019

By Order of the
Metropolitan Waste Control Commission
Gordon O. Voss
Chief Administrator

Board of Water and Soil Resources

Meeting Notice

The Board of Water and Soil Resources will hold their monthly meeting on September 30 and October 1, 1992, in Room 112 of the State Capitol. The meeting will convene at 9:00 a.m.

Copies of the 1991 Wetland Conservation Act proposed rule being considered by the Board of Water and Soil Resources at their upcoming meeting will be available for pick-up on Monday, September 28, at the Board of Water and Soil Resources, 155 S. Wabasha, Suite 104, St. Paul, MN 55107.

Professional, Technical & Consulting Contracts

Department of Administration procedures require that notice of any consultant services contract or professional and technical services contract which has an estimated cost of over \$10,000 be printed in the *State Register*. These procedures also require that the following information be included in the notice: name of contact person, agency name and address, description of project and tasks, cost estimate, and final submission date of completed contract proposal. Certain quasi-state agencies are exempted from some of the provisions of this statute.

Department of Administration

Governor's Planning Council on Developmental Disabilities

Requests for Proposals to develop and implement a media campaign that will result in national print media and TV devoting space and time to issues related to self-determination for adults with disabilities and family support for children with disabilities and their families.

The Governor's Planning Council on Developmental Disabilities is seeking proposals from qualified organizations to develop and implement a media campaign that will result in national media (print, radio, and TV) devoting space in publications and air time to issues related to self determination of adults with disabilities and family support for children with disabilities and their families. The successful applicant will be expected to produce articles and news releases and submit them to appropriate national media. The Council has budgeted \$30,000 for this project.

Proposals are due in the office of the Council before 4:30 p.m. on October 23, 1992.

For copies of the Request for Proposals contact:

Governor's Planning Council on Developmental Disabilities
300 Centennial Office Building
658 Cedar Street
St. Paul, Minnesota 55155
Phone (voice) (612) 296-4018
Phone (TDD) (612) 296-9962

Office of Administrative Hearings

Notice of Request for Proposal for Administrative Law Judge Services

The Minnesota Office of Administrative Hearings will be contracting with qualified attorneys to serve as administrative law judges for the twelve-month period beginning January 1, 1993 and ending December 31, 1993.

Attorneys must be admitted to practice law in the State of Minnesota at the time they apply. Additional information on the requested services is detailed in the Request for Proposal which will be sent to all persons who ask to receive one. Persons who serve as contract Administrative Law Judges, or members of their firm, may not appear as an attorney in any hearing conducted by this office. Compensation will be at the rate of \$50 per hour.

Persons desiring to receive a Request for Proposal must request one by notifying William G. Brown, Chief Administrative Law Judge, Office of Administrative Hearings, Suite 1700, 100 Washington Square, Minneapolis, Minnesota 55401, telephone (612) 341-7640, no later than 4:30 p.m. on Friday, October 23, 1992. Final proposals must be received by the Office of Administrative Hearings by 4:30 p.m. on Friday, October 30, 1992.

Office of Administrative Hearings

Notice of Request for Proposal for Court Reporting and Transcription Services

The Minnesota Department of Administration is acting as contracting agent for state departments and agencies that have a need for:

1. Court reporting services to provide an accurate and verbatim record of proceedings and depositions required by state and federal law, and
2. Transcription services to prepare an accurate and verbatim typewritten record from proceedings recorded on single track, two track, or four track audio magnetic recording devices, such as 5" reel-to-reel tapes and standard cassette tapes.

All state agencies needing one or both of these services for the twelve-month period beginning January 1, 1993 and ending December 31, 1993 will be required to use the contracts resulting from this proposal. Some of the State agencies having a need for the services are the Attorney General's Office, Office of Administrative Hearings (Administrative Procedure Act and Workers' Compensation Law hearings), Department of Labor and Industry, Tax Court, Public Utilities Commission, Department of Public Service, Environmental Quality Board, Pollution Control Agency, Mediation Services, Human Services, Transportation and Economic Security.

IT IS UNLIKELY THAT WE WILL BE SOLICITING ADDITIONAL PROPOSALS DURING THIS TWELVE-MONTH PERIOD.

Additional information on the requested services will be included in the Request for Proposal which will be sent to all persons or associations asking to receive one. Persons or associations who wish to receive a Request for Proposal must request one by notifying Dennis Reek, Office of Administrative Hearings, Suite 1700, 100 Washington Square, Minneapolis, Minnesota 55401, telephone (612) 341-7643, no later than 4:30 p.m. on Friday, October 23, 1992. Final proposals must be received by the Office of Administrative Hearings at the above address by 4:30 p.m. on Friday, October 30, 1992.

State Designer Selection Board

Request for Proposal for Three State University Projects

To Minnesota Registered Design Professionals:

The State Designer Selection Board has been requested to select designers for three State University projects. Design firms who wish to be considered for this project should deliver proposals on or before 4:00 p.m., October 20, 1992, to:

George Iwan
Executive Secretary, State Designer Selection Board
Room G-10, Administration Building
St. Paul, Minnesota 55155-3000

The proposal must conform to the following:

- 1) Six copies of the proposal will be required.
- 2) All data must be on 8½" x 11" sheets, soft bound.
- 3) The cover sheet of the proposal must be clearly labeled with the project number, as listed in number 7 below, together with the designer's firm name, address, telephone number and the name of the contact person.

Professional, Technical & Consulting Contracts

4) Mandatory Proposal contents in sequence:

a) Identity of firm and an indication of its legal status, i.e. corporation, partnership, etc. If the response is from a joint venture, this information must be provided for firms comprising the joint venture.

b) Names of the persons who would be directly responsible for the major elements of the work, including consultants, together with brief descriptions of their qualifications. Identify roles that such persons played in projects which are relevant to the project at hand. **NOTE NEW REQUIREMENT:** The proposal must contain a statement indicating whether or not the consultants listed have been contacted and have agreed to be a part of the design team.

c) A commitment to enter the work promptly, if selected, by engaging the consultants, and assigning the persons named 4b above along with adequate staff to meet the requirements of work.

d) A list of State and University of Minnesota current and past projects and studies under contract or awarded to the prime firm(s) submitting this proposal during the three (3)-years immediately preceding the date of this request for proposal. The prime firm(s) shall list and total all fees associated with these projects and studies whether or not the fees have been received or are anticipated. In addition, the prime firm(s) shall indicate the amount of fees listed which were paid directly to engineers or other specialty consultants employed on the projects and studies listed pursuant to the above. **NOTE:** Please call for a copy of the acceptable format for providing this information.

e) A section containing graphic material (photos, plans, drawings, etc.) as evidence of the firm's qualification for the work. The graphic material must be identified. It must be work in which the personnel listed in "c" have had significant participation and their roles must be clearly described. It must be noted if the personnel were, at the time of the work, employed by other than their present firms.

The proposal shall consist of no more than twenty (20) pages. Proposals not conforming to the parameters set forth in this request will be disqualified and discarded without further examination.

5) Statutory Proposal Requirements:

In accordance with the provisions of *Minnesota Statutes*, 1981 Supplement, Section 363.073; for all contracts estimated to be in excess of \$50,000.00, all responders having more than 20 full-time employees at any time during the previous 12 months must have an affirmative action plan approved by the Commissioner of Human Rights before a proposal may be accepted.

The proposal will not be accepted unless it includes one of the following:

a) A copy of your firm's current certificate of compliance issued by the Commissioner of Human Rights; or

b) A statement certifying that the firm has a current certificate of compliance issued by the Commissioner of Human Rights;

or

c) A statement certifying that the firm has not had more than 20 full-time employees in Minnesota at any time during the previous 12 months; or

d) A statement certifying that the firm has an application pending for a certificate of compliance.

6) Design firms wishing to have their proposals returned after the Board's review must follow one of the following procedures:

a) Enclose a self-addressed stamped postal card with the proposals. Design firms will be notified when material is ready to be picked up. Design firms will have two (2) weeks to pick up their proposals, after which time the proposals will be discarded; or

b) Enclose a self-addressed stamped mailing envelope with the proposals. When the Board has completed its review, proposals will be returned using this envelope.

In accordance with existing statute, the Board will retain one copy of each proposal submitted.

Any questions concerning the Board's procedures, their schedule for the project herein described or the fee format form may be referred to George Iwan at (612) 296-4656.

7a) PROJECT—23-92

New Library Building
St. Cloud State University

Appropriation: \$290,000.00 to plan through Schematic Design a new library building that will cost approximately \$23 million to construct.

Scope of Project: Plan through schematic design with the current appropriation. Complete planning, construct, equip and furnish the new building upon receipt by the System of a future appropriation.

Project Gross Square Feet (GSF): 224,000 gross square feet.
172,200 net assignable square feet.
Net to gross ratio is .77.

Professional, Technical & Consulting Contracts

PROGRAM SUMMARY:

Classrooms, labs, offices and conference rooms	— 12,500 GSF
Collections, reader seating and conference rooms, and staff and support space	— 154,400 GSF
Graphics/video/sound/photo production, and Reception/conference areas	— <u>5,400 GSF</u>
Subtotal	— 172,300 GSF
Custodial, circulation, and mechanical	— <u>51,700 GSF</u>
TOTAL	— 224,000 GSF

SITE:

The building will be located for convenient access from academic buildings/residence halls and by off campus visitors. Site selection will be part of the schematic design.

PURPOSE OF THE PROJECT:

The new building is expected to provide enlarged and improved retrieval capability for a student body significantly larger than the existing facility will accommodate. The new library must conform in its design and function to the report of the Minnesota State University System Academic Library of the Future Task Force, titled "The Academic Library of the Future, a report to the Legislature" and dated November 1, 1991.

BUILDING CONSTRUCTION:

The new building shall provide a distinct identity compatible with the existing St. Cloud State University campus buildings. The interior shall be designed for maximum space utilization, future space reorganization flexibility, climate control, contemporary electronic environment, highly flexible lighting system, energy efficiency, and appropriate fire suppression system.

The building will require cable connection to classrooms and offices to provide electronic distribution of the collection, and connection to the campus chilled water, steam, electrical, fire alarm, and energy management systems; may also include connection to the university's utility tunnel system.

Connection to the existing satellite dish and to fiber optic interactive television will be special requirements.

Architectural Responsibilities: For planning through Schematic Design (current appropriation), the architect shall be responsible for, but not limited to, such tasks as review of the University's space program, preparation of preliminary schematics (including consideration of alternative designs), cost estimates, and the Schematic Design report. For future appropriation work (completion of planning, bidding, and construction) the architect shall be responsible for, but not limited to, such tasks as: continued project design and preparation of final working drawings and specifications (including cost estimates); and project administration during construction, including but not limited to preparation of construction change orders, review and approval of shop drawings and payment requests, oversight of project construction for owner (including on-site observation and chairing construction meetings), and project acceptance. Prior experience with design of university libraries or large public sector projects, and personnel with experience focused on construction will be important considerations.

Consultant's fee shall be fixed, and shall be computed as a percentage of the amount budgeted by the State for construction. Consultant's proposal shall state consultants policy concerning additional consultant services resulting from acceptable low bid exceeding or falling short of the construction budget.

Architectural Fee: 20% of 6% of the budgeted construction cost for this schemactic design phase; 6% of the budgeted construction cost for the total project fee.

UNIVERSITY CONTACT:

Steve Ludwig, Assistant to the
Vice President of Administrative Affairs
St. Cloud State University
720 4th Avenue South
St. Cloud, Minnesota 56301
(612) 255-2286

STATE UNIVERSITY SYSTEM CONTACT:

David Hardin
Director of Facilities Management
Minnesota State University System
555 Park Street, Suite 230

Professional, Technical & Consulting Contracts

St. Paul, Minnesota 55103
(612) 296-6624

7b) PROJECT—24-92

Utility Tunnel Upgrade & Extension
Mankato State University

Project Budget: \$1,750,000.00

Scope of Project: This project contains three elements:

Element No. 1: Design and produce construction documents per Minnesota State University System (MSUS) guidelines for a concrete utility tunnel and utility lines from the east end of the existing tunnel to and through the north exterior wall of the new Trafton Science Center Addition, a distance of approximately 170 feet. The utility lines and mains are high pressure steam, low pressure condensate, pneumatic piping, utility power, conduit and extension of a 13,800 volt primary electric power, sump pumps, and piping.

Element No. 2: Design and produce construction documents per Minnesota State University System (MSUS) guidelines for pressure piping removal and replacement according to the following schedule:

REMOVE EXISTING PIPING

600' — 6" high pressure

700' — 8" high pressure

1,700' — 6" low pressure condensate

1,700' — 1.5" high pressure condensate

REPLACEMENT

1,300' — 10" high pressure

1,700' — *" low pressure condensate

Replace with flash tanks for high pressure condensate and transfer condensate to low pressure return system

*Condensate size and need for replacement to be determined by selected engineer and Mankato State University.

Element No. 3: Design and produce construction documents per Minnesota State University System (MSUS) guidelines to install electric industrial hot water heaters and connecting piping to existing domestic hot water systems in Morris Hall (old and new), Trafton (existing), Highland North, Meyers Fieldhouse, Highland Center area and Wigley Administration.

Provide design and specifications for the isolation of the steam main line and condensate after the HP steam line connection serving McElroy/Crawford/Carkoski Commons buildings.

Notes:

1) Element No. 3 will be bid in the fall of 1992 and completed prior to the start of construction of the steam line extension to provide domestic hot water process steam to the University buildings.

2) Asbestos abatement is included in the project budget, but is excluded from the scope of work for selected engineer.

SITE:

The utility tunnel extension will connect the Trafton addition, which is currently under construction, to the existing tunnel.

PURPOSE OF THE PROJECT:

The utility tunnel extension will connect to the Trafton addition and will supply the addition with high pressure steam, low pressure condensate return, future pneumatic air, 13,800 volt primary power, and telephone/data lines. The project will also upgrade the existing high pressure steam and condensate systems to improve steam distribution capacity.

Engineering Responsibilities: The selected engineer will be responsible for, but not limited to such tasks as: existing condition survey; review of proposed extension and pipe replacement; coordination and location of new and existing site utilities; preparation of schematic design and cost estimate; preparation of design development drawings, specifications, and cost estimate; preparation of construction documents including structural, electrical, and mechanical design and cost estimates; project administration during construction, including but not limited to review and approval of shop drawings and payment requests, preparation of construction change orders, oversight of project construction for owner (including on-site observation), conducting progress meetings with contractor, and recommending project acceptance to owner.

Prior experience with the design and construction of underground concrete structures, distribution piping for high and low pressure steam system and high and low voltage electrical systems is required.

Engineering Fee: To be negotiated.

Scope of Project: The concrete tunnel shall be sized to accommodate the piping systems, maintenance work space, and support/withstand live and dead loads. The location of all existing utilities shall be coordinated with the new and existing tunnel. Connection to the existing tunnel and to the new building must be accounted for and properly coordinated with both the Trafton addition designer and the asbestos abatement consultant.

UNIVERSITY CONTACT:

Joseph P. Metro
Vice President of University Operations
MSU Box 105
Mankato State University
Mankato, Minnesota 56002-8400
(507) 389-2267

STATE UNIVERSITY SYSTEM CONTACT:

David Hardin
Director of Facilities Management
Minnesota State University System
555 Park Street, Suite 230
St. Paul, Minnesota 55103
(612) 296-6624

7c) PROJECT—25-92

A.C. Clark Library Remodeling & Addition
Bemidji State University

Appropriation: \$100,000.00 to plan through Schematic Design a remodeling/addition that will cost approximately \$5.7 million to construct.

Scope of Project: Plan through Schematic Design with the current appropriation. Complete planning, construction, equip and furnish the remodeled building/addition upon receipt by the System of a future appropriation.

Project Gross Square Feet (GSF): Remodel entire library (68,100 GSF)
Construct addition (21,000 GSF)

Program Summary:

1) Remodel the existing facility and expand upon it in such a way as to create a "new" library building. This new library must adequately blend the elements of the traditional academic library (reference, individual study space, open stacks, microform equipment, etc.) with new technologies and service areas (group study, media and multimedia user stations, interactive television studios, media production and instruction spaces, on-line information instruction laboratory, etc.)

2) Orient the library within the campus circulation system so as to have a single, logically placed, easily identifiable user entrance which connects and provides handicapped access to the campus pedestrian tunnel system.

Once within the entrance, users shall be visually oriented to the location of reference and circulation services.

3) Concentrate the collection and associated user spaces in a "horizontal" building which maximizes stack space on each floor and allows for flexibility for collection layout in an understandable, sequential arrangement without splitting call number groups between floors.

4) Incorporate HVAC, power and telecommunication distribution systems which will allow for possible future partitioning of substantial portions of space without degrading these systems integrity to causing extensive reconfigurations of these systems in order to accommodate such partitioning. Environmental controls should allow for zoning of temperature and humidity levels.

5) Allow for the free circulation of users between all portions of the library, yet make it possible to isolate the instructional spaces and the library office from the rest of the building so that users can have access to these spaces when the library is closed.

6) Expand seating to provide additional reader stations to service individual and group study, media, and information systems users.

7) Increase stack and shelving capacity by extensive use of high density (compact) shelving.

8) Increase and upgrade technical and service desk space so as to accommodate new technologies, facilitate more efficient flow of technical work, and maximize use of costly technologies.

The phasing of the new and renovated spaces should reflect a need to maintain library services during the construction phase of the project with an absolute minimum of disruption.

Site: The addition will be located consistent with the above PROGRAM SUMMARY. Site selection will be part of the Schematic Design.

PURPOSE OF THE PROJECT:

The remodeling and addition is expected to solve numerous problems related to entry, circulation, lighting, acoustics, computer

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and telecommunications systems, power distribution, building code, heating, ventilating, and air conditioning systems, study areas, storage, office space, loading dock and receiving areas; and provide significant area for compact storage.

The "new" library must conform in its design and function to the report of the Minnesota State University System Academic Library of the Future Task Force, titled "The Academic Library of the Future, a report to the Legislature" and dated November 1, 1991.

Building Construction: The addition shall be compatible with the existing library structure and nearby buildings. The interior shall be designed for maximum space utilization, future space reorganization flexibility, climate control, contemporary electronic environment, highly flexible lighting system, energy efficiency, and appropriate fire suppression system. The interior of the existing library will require almost total remodeling and reorganization.

Architectural Responsibilities: For planning through Schematic Design (current appropriation), the architect shall be responsible for, but not limited to, such tasks as review of the University's space program, preparation of preliminary schematics (including consideration of alternative designs), cost estimates, and the Schematic Design report. For future appropriation work (completion of planning, bidding, and construction) the architect shall be responsible for, but not limited to, such tasks as: continued project design and preparation of final working drawings and specifications (including cost estimates); and project administration during construction, including but not limited to preparation of construction change orders, review and approval of shop drawings and payment requests, oversight of project construction for owner (including on-site observation and chairing construction meetings), and project acceptance.

Prior experience with design of university libraries which have incorporated modern information technologies, or large public sector projects, and personnel with experience focused on construction will be an important consideration.

Consultant's fee shall be fixed, and shall be computed as a percentage of the amount budgeted by the State for construction. Consultant's proposal shall state consultants policy concerning additional consultant services resulting from acceptable low bid exceeding or falling short of the construction budget.

Architectural firms that plan to submit a proposal should make an on-site visit in order to understand the integration of the addition with the existing library, pedestrian tunnel system, and other buildings.

Architectural Fee: 20% of 6.75% of the budgeted construction cost for this schematic design phase; 6.75% of the budgeted construction cost for the total project fee.

UNIVERSITY CONTACT:

Thomas Faecke
Vice President for Administrative Services
Bemidji State University
1500 Birchmont Drive Northeast
Bemidji, Minnesota 56601-2699
(218) 755-2012 FAX: (218) 755-4048

STATE UNIVERSITY SYSTEM CONTACT:

David Hardin
Director of Facilities Management
Minnesota State University System
555 Park Street, Suite 230
St. Paul, Minnesota 55103
(612) 296-6624

M.J. Czarniecki III, Chair
State Designer Selection Board

Higher Education Coordinating Board

Notice of Availability of Request for Proposals for Midlevel Practitioners and Nurses Continuing Education Project

The Higher Education Coordinating Board is requesting proposals from providers of continuing education for nurses in rural Minnesota and institutions that administer midlevel practitioner training programs in areas of greatest need in rural Minnesota. The proposal must address health care needs and incorporate innovative methods of bringing faculty and students together and provide both clinical and lecture components.

The proposal cannot exceed \$25,000.

Proposal must be submitted no later than 4:00 p.m., October 15, 1992.

Those interested in receiving requests for proposal should contact:

Administrative Services
Minnesota Higher Education Coordinating Board
400 Capitol Square Building
550 Cedar Street
St. Paul, Minnesota 55101-2292
(612) 296-9696

State Board of Investment

Money Management Service Information Sought

The Minnesota State Board of Investment (MSBI) retains private money management firms to manage a portion of the pension assets and other accounts under its control. Firms interested in managing domestic stock, international stock or domestic bond portfolios for the MSBI are asked to write to the following address for additional information:

External Manager Program
Minnesota State Board of Investment
Suite 105 MEA Building
55 Sherburne Avenue
St. Paul, MN 55155

Please refer to this notice in your written request.

Department of Transportation

Engineering Services Division

The Minnesota Department of Transportation is seeking a consultant for the following services: Preliminary design of T.H.22 from Mankato to St. Peter. This project includes, among other items, the preparation of an Environmental Assessment, the preliminary and final geometric layouts, and the project study report.

Work is proposed to start January 1, 1993 and continue through September 1, 1994.

A Request for Proposal can be obtained from the Mn/DOT Consultant Agreements Engineer.

Mr. Gabriel S. Bodoczy, P.E.
Consultant Agreement Unit
Minnesota Department of Transportation
395 John Ireland Boulevard, Room 720S
St. Paul, Minnesota 55155
Attn: Todd J. Clarkowski (612) 297-1197
FAX: (612) 297-3160

Request for Proposals will be available by mail from this office through October 12, 1992. A written request is required to receive the Request for Proposal. Indicate whether your firm is a Small Targeted Business or Disadvantaged Business Enterprise in your written request. After October 12, 1992, the Request for Proposal must be picked up in person.

No time extensions will be granted.

Proposals must be received at the above address no later than 2:00 p.m. on October 19, 1992.

This request does not obligate the State of Minnesota Department of Transportation to complete the work contemplated in this notice, and the department reserves the right to cancel this solicitation. All expenses incurred in responding to this notice shall be borne by the responder.

Minnesota State University System

Notice of Request for Proposals for Development and Delivery of Sexual Violence/Sexual Harassment Program for University Students and Employees

The Minnesota State University System is soliciting proposals for the development and implementation of a program to enhance

Professional, Technical & Consulting Contracts

awareness of sexual violence and sexual harassment issues for 63,000 students, 3,000 faculty, and 4,000 staff within the System. Proposals should include provisions for the development of audiovisual materials geared specifically to the higher education environment and should address all of the various contexts in which sexual violence and/or harassment could occur in a University setting, including student-student, faculty-student, colleague-colleague, and supervisor-employee interactions. Emphasis should be placed on the development of a violence-free/harassment-free environment. In order to keep costs to a minimum, proposals should include plans for presenting initial programs and materials to a relatively small group of students, faculty and staff who will in turn present programs to larger groups of individuals. Proposals should include a timetable for development of materials and implementation of the program. Respondents should provide evidence of capacity to develop and deliver the required audiovisual materials and of prior experience providing similar programs on sexual violence and sexual harassment issues in educational settings.

Direct inquiries and proposals to:

Mike Lopez
Vice Chancellor for Student Affairs
Minnesota State University System
555 Park Street, Suite 230
St. Paul, MN 55103

Phone: (612) 297-5286
FAX: (612) 296-3214

Proposals must be submitted no later than 5:00 p.m. on October 14, 1992.

Minnesota Office of Waste Management

Notice of Request for Proposals for Compost Quality Assessment

The Minnesota Office of Waste Management (OWM) is a state agency established by the Minnesota Legislature to provide financial and technical assistance to local governments and other organizations to encourage the proper management of solid and hazardous waste. In the area of solid waste, the OWM's objective is to minimize land disposal of solid waste through the promotion of waste reduction, recycling, and resource recovery.

This notice is issued by the Director of the OWM (Director) under authority provided in *Minnesota Statutes* § 115A.06, subd. 8. The OWM has established the Municipal Solid Waste (MSW) Compost Utilization Program (CUP) to assist in the development of markets for MSW compost (*1991 Minnesota Laws*, ch. 254, art. 1, sec. 3). CUP is intended to provide directed research and demonstration of MSW compost use in various applications and to characterize the product quality of all MSW compost produced in the state.

The purpose of this notice is to solicit proposals for Compost Quality Assessment, a primary task under CUP. The RFP will secure the services of a testing laboratory to evaluate the current quality of all MSW compost produced in Minnesota.

The objectives of the RFP are to establish a statistically significant database on MSW compost product quality in Minnesota, demonstrate the validity of sampling and analytical methods, and train facility operators in standard methods and practices for product quality analysis.

The OWM has budgeted approximately \$250,000 for compost analyses.

Copies of the Request for Proposals are available by contacting:

Dawn Gorres
Minnesota Office of Waste Management
1350 Energy Lane, Suite 201
St. Paul, MN 55108
(612) 649-5406 or 1-800-652-9747 (toll-free in Minnesota)

Proposals must be received by the OWM at the above address by 4:30 p.m., CST, Monday, October 26, 1992. **PLEASE NOTE**, proposals must be **received** by the OWM at the above address by Monday, October 26, 1992 or they will not be considered for funding. **No faxed proposals will be accepted.**

Non-State Public Bids and Contracts

The *State Register* also serves as a central marketplace for contracts let out on bid by the public sector. The *Register* meets state and federal guidelines for statewide circulation of public notices. Any tax-supported institution or government jurisdiction may advertise contracts and requests for proposals from the private sector.

It is recommended that contracts and RFPs include the following: 1) name of contact person; 2) institution name, address, and telephone number; 3) brief description of project and tasks; 4) cost estimate; and 5) final submission date of completed contract proposal. Allow at least three weeks from publication date (four weeks from date article is submitted for publication). Surveys show that subscribers are interested in hearing about contracts for estimates as low as \$1,000. Contact the editor for further details.

Minnesota Historical Society

Notice of Request for Bids for Touhy Brand Board Room Furniture

The Minnesota Historical Society is seeking bids from qualified firms to provide Touhy brand furniture for its board rooms.

The Request for Bids is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Bids must be received not later than October 8, 1992.

Details concerning submission requirements are included in the Request for Bids.

Minnesota Historical Society

Notice of Request for Bids for Repairs at Fort Snelling Historic Site

The Minnesota Historical Society is seeking bids from qualified firms to provide repairs consisting of removal of wall line pickets, coping of walls, coping and tuckpointing of towers and other structures and installation of wood barrier posts.

The Request for Bids is available by calling or writing Gary W. Goldsmith, Contracting Officer, Minnesota Historical Society, 345 Kellogg Blvd. West, St. Paul, MN 55102. Telephone (612) 297-5863.

Bids must be received not later than October 8, 1992.

Details concerning submission requirements are included in the Request for Bids.

Metropolitan Waste Control Commission

Public Notice for Proposals for Technical Services

NOTICE IS HEREBY GIVEN that the Metropolitan Waste Control Commission is soliciting proposals for Compensation and Performance Appraisal services.

The work will consist of:

1. Review of current MWCC performance appraisal systems and recommendations for revisions.
2. Compensation review.

All firms interested in being considered for this project are invited to submit a letter asking for the project Request for Proposal (RFP).

All inquiries are to be addressed to Ms. Kaye L. Aho, Manager, Compensation and Benefits, Metropolitan Waste Control Commission, Mears Park Centre, 230 East Fifth Street, St. Paul, Minnesota, (612) 229-2094.

By Order of the
Metropolitan Waste Control Commission
Gordon O. Voss
Chief Administrator

State Contracts and Advertised Bids

Pursuant to the provisions of Minn. Stat. § 14.10, an agency must make reasonable effort to publicize the availability of any services contract or professional and technical services contract which has an estimated cost of over \$2,000.

Commodities contracts with an estimated value of \$15,000 or more are listed under the Materials Management Division, Department of Administration. All bids are open for 7-10 days before bidding deadline. For bid specifics, time lines, and other general information, contact the appropriate buyers whose initials appear in parentheses next to the commodity for bid, by calling (612) 296-6152.

Awards of contracts and advertised bids for commodities and printing, as well as awards of professional, technical and consulting contracts, appear in the midweek STATE REGISTER Contracts Supplement, published every Thursday. Call (612) 296-0931 for subscription information.

Materials Management Division—Department of Administration:

Contracts and Requisitions Open for Bid

Call 296-2600 for information on a specific bid, or to request a specific bid.

COMMODITY CODE KEY

A = Sealed Bid	G = \$5,000-\$15,000 Estimated Dollar Value	J = Targeted Vendors Only
B = Write for Price	H = \$15,000-\$50,000 Sealed Bid	K = Local Service Needed
C = Request for Proposal	I = \$50,000 and Over Sealed Bid/Human Rights Compliance Required	L = No Substitute
D = Request for Information		M = Installation Needed
E = \$0-\$1,500 Estimated Dollar Value		N = Pre-Bid Conference
F = \$1,500-\$5,000 Estimated Dollar Value		O = Insurance or Bonding Required

Commodity: Telecommunications:
AT & T
Contact: Patricia Anderson 612-296-3770
Bid due date at 2pm: October 8
Agency: Various
Deliver to: Various
Requisition #: Price Contract

Commodity: To supply customized
electronic birth registration software
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: October 9
Agency: Health
Deliver to: Minneapolis
Requisition #: 12000-12182

Commodity: A H—Tartansystem
maintenance agreement
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: September 30
Agency: Department of Public Safety/
Finance
Deliver to: Various Places
Requisition #: B 07700-42021

Commodity: B E—Display
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: September 29
Agency: I R R & R B
Deliver to: Biwabik
Requisition #: B 43000-70236

Commodity: B G—Fence installation
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: October 2
Agency: St. Peter Regional Treatment
Center
Deliver to: St. Peter
Requisition #: B 55105-09242

Commodity: B G K M—Copier rental
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: October 5
Agency: Department of Natural
Resources—Regional Headquarters
Deliver to: Grand Rapids
Requisition #: B 29002-22950

Commodity: B G—Wood chips
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: September 30
Agency: Department of Natural
Resources—Regional Headquarters
Deliver to: Grand Rapids
Requisition #: B 29002-22957

Commodity: B E L—Shaw walker chair
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: October 5
Agency: I R R & R B
Deliver to: Chisholm
Requisition #: B 43000-70247

Commodity: B G—Dock materials
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: September 30
Agency: Brainerd Regional Human
Services Center
Deliver to: Brainerd
Requisition #: B 55304-09444

State Contracts and Advertised Bids

Commodity: A I—New/used crack sealing machine rebid
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: October 6
Agency: Minnesota Department of Transportation
Deliver to: Various Places
Requisition #: B 79382-02508-1

Commodity: B F—Emergency telephone unit
Contact: Teresa Manzella 612-296-7556
Bid due date at 4:30pm: October 4
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14847-1

Commodity: B G L—CAD/COM software
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Minnesota Department of Jobs & Training
Deliver to: St. Paul
Requisition #: B 21200-52861

Commodity: B G—H.P. III printers
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: September 29
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 27156-10999

Commodity: B F—Wide angle lens
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 5
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-40990

Commodity: B F—Stereoscopes
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 5
Agency: Bemidji State University
Deliver to: Bemidji
Requisition #: B 26070-14877

Commodity: A H—Chief software
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 7
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-32041

Commodity: B G—Kitchen supplies
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 4
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 99997-11001

Commodity: B F—Elevator telephones—Marshall, MN
Contact: Teresa Manzella 612-296-7556
Bid due date at 4:30pm: October 7
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-02364

Commodity: B E—Rasterops display board
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 27156-10998

Commodity: A H M—Sound system
Contact: Pam Anderson 612-296-1053
Bid due date at 2pm: October 15
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-20806

Commodity: B F—Generators
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 5
Agency: Department of Public Safety/Finance
Deliver to: South St. Paul
Requisition #: B 07500-42052

Commodity: B E—Ice melter
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 5
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-03261

Commodity: B G—Kitchen equipment
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 7
Agency: Willow River Camp
Deliver to: Moose Lake
Requisition #: B 78890-43008

Commodity: A H—Compact sport utility
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: October 5
Agency: Department of Natural Resources—Metro Field Operations
Deliver to: St. Paul
Requisition #: B 29000-59565

Commodity: A H K—4 Wheel drive utility vehicle
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: October 5
Agency: Minnesota Correctional Facility
Deliver to: Oak Park Heights
Requisition #: B 78630-11043

Commodity: A H—Miscellaneous plumbing supplies
Contact: Linda Parkos 612-296-3725
Bid due date at 2pm: October 5
Agency: Facilities Management Office
Deliver to: Little Falls
Requisition #: B 01000-07167

Commodity: B G—Brailles
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: October 2
Agency: Minnesota Department of Jobs and Training
Deliver to: St. Paul
Requisition #: B 21200-52938

Commodity: B F—Embroidered shoulder patches
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: October 5
Agency: Department of Public Service
Deliver to: Roseville
Requisition #: B 80300-93168

Commodity: B G K—Breath apparatus
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: October 7
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-31972

State Contracts and Advertised Bids

Commodity: Truck liftgate
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: October 5
Agency: Faribault Regional Center
Deliver to: Faribault
Requisition #: B 55303-93432

Commodity: B F—Steam coils
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: October 5
Agency: Brainerd Regional Human Services Center
Deliver to: Brainerd
Requisition #: B 55304-09440

Commodity: A H—Compact sport utility
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: October 5
Agency: Department of Natural Resources—Metro Field Operations
Deliver to: St. Paul
Requisition #: B 29000-59565

Commodity: B F—Talking money identifier
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: October 5
Agency: Minnesota Department of Jobs & Training
Deliver to: St. Paul
Requisition #: B 21200-52936

Commodity: B F—Electronic video magnifier
Contact: Linda Parkos 612-296-3725
Bid due date at 4:30pm: October 5
Agency: Minnesota Department of Jobs & Training
Deliver to: Various Places
Requisition #: B 21603-25785

Commodity: B F—Full face air system
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: October 7
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11536

Commodity: B G—Metal adjusting squares
Contact: Jack Bauer 612-296-2621
Bid due date at 4:30pm: October 5
Agency: Minnesota Department of Transportation
Deliver to: Various Places
Requisition #: B 79500-23503

Commodity: B G—Furnish & install ventilation system
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: October 9
Agency: Brainerd Regional Human Services Center
Deliver to: Brainerd
Requisition #: B 55304-09436

Commodity: A I—Voice messaging system
Contact: Teresa Manzella 612-296-7556
Bid due date at 2pm: October 9
Agency: Intertechnologies Group
Deliver to: St. Paul
Requisition #: B 02410-32392

Commodity: B F—486/33 computer
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Minnesota Department of Jobs and Training
Deliver to: Various Places
Requisition #: B 21606-60394

Commodity: B F L—Copicard reader
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-24135

Commodity: B F—Wyse terminal
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-24140

Commodity: B F—Microtek scanner
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Normandale Community College
Deliver to: Bloomington
Requisition #: B 27156-11000

Commodity: B F—D base IV software
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Department of Human Services
Deliver to: St. Paul
Requisition #: B 55000-32074

Commodity: B G M—Audio system and miscellaneous equipment
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Building Construction Division
Deliver to: Willmar
Requisition #: B 02310-33865

Commodity: B F—IBM controller
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Minnesota Department of Jobs and Training
Deliver to: Various Places
Requisition #: B 21200-52892

Commodity: B G—Unix system memory upgrade
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Trade and Economical Development/Fiscal Services
Deliver to: St. Paul
Requisition #: B 22700-00792

Commodity: A H—Sun sparstation system
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: October 7
Agency: St. Cloud State University
Deliver to: St. Cloud
Requisition #: B 26073-24137

Commodity: B E—Turbonet connectors
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Southwest State University
Deliver to: Marshall
Requisition #: B 26175-03252

State Contracts and Advertised Bids

Commodity: B F—486DX/50 computer
Contact: Bernadette Vogel 612-296-3778
Bid due date at 4:30pm: October 5
Agency: Minnesota State Planning Agency
Deliver to: St. Paul
Requisition #: B 30000-18751

Commodity: A H L—Intergraph memory and software
Contact: Bernadette Vogel 612-296-3778
Bid due date at 2pm: October 7
Agency: Minnesota Department of Transportation
Deliver to: St. Paul
Requisition #: B 79000-31898

Commodity: B F—Pro SVHS recorder
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 4
Agency: Department of Public Safety
Deliver to: St. Paul
Requisition #: B 07300-40988

Commodity: B F—Color TV/monitor
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14714

Commodity: B F—Stereo transmitter
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Rochester Community College
Deliver to: Rochester
Requisition #: B 27148-60963

Commodity: B E—Laser disc player
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Arrowhead Community College
Deliver to: Grand Rapids
Requisition #: B 27158-91049

Commodity: B F—VCR/TV combination unit
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11523

Commodity: B F—Steel door
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Facilities Management Office
Deliver to: Various Places
Requisition #: B 99997-07165

Commodity: B F—Variable transformers
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 5
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14723

Commodity: B G—Ice machine
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 5
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-30535

Commodity: B F—Mobile lab
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: September 29
Agency: Winona State University
Deliver to: Winona
Requisition #: B 26074-14718

Commodity: B G—Electrohome projector
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Minneapolis Community College
Deliver to: Minneapolis
Requisition #: B 27151-93026

Commodity: B F—Red Oak insert panels
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Minnesota Correctional Facility
Deliver to: Red Wing
Requisition #: B 78760-03224

Commodity: B F—Metal detector
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Minnesota Correctional Facility
Deliver to: St. Cloud
Requisition #: B 78830-11527

Commodity: B F—Video graphic printer
Contact: Pam Anderson 612-296-1053
Bid due date at 4:30pm: October 5
Agency: Minnesota State Lottery
Deliver to: Roseville
Requisition #: B 99997-30005

Commodity: B G—Electric griddles
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 5
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-30533

Commodity: B G—Electric ranges
Contact: Joan Breisler 612-296-9071
Bid due date at 4:30pm: October 5
Agency: Minnesota Correctional Facility—Faribault
Deliver to: Faribault
Requisition #: B 78790-30536

Commodity: B G—15 passenger van—lease purchase
Contact: Brenda Thielen 612-296-9075
Bid due date at 2pm: September 28
Agency: Willow River Camp
Deliver to: Willow River
Requisition #: B 78890-43004

Commodity: A H—Punched braille paper
Contact: Linda Parkos 612-296-3725
Bid due date at 2pm: October 5
Agency: Minnesota Department of Jobs and Training
Deliver to: St. Paul
Requisition #: B 21200-52942

Commodity: A I—Air traffic training center upgrade
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 2pm: October 16
Agency: Board of Voc-Tech Ed/Air Traffic
Deliver to: Eden Prairie
Requisition #: B 36100-51522-1

State Contracts and Advertised Bids

Commodity: A H—Punched brailon
Contact: Linda Parkos 612-296-3725
Bid due date at 2pm: October 5
Agency: Minnesota Department of Jobs
and Training
Deliver to: St. Paul
Requisition #: B 21200-52940

Commodity: B G—Furnish and install
furnaces
Contact: Mary Jo Bruski 612-296-3772
Bid due date at 4:30pm: October 7
Agency: Facilities Management Office
Deliver to: Various Places
Requisition #: B 01000-07170

Department of Administration: Print Communications Division

Printing vendors for the following printing contracts must review contract specifications in printing buyer's office at 117 University Avenue, Room 134-B, St. Paul, MN.

Commodity: Unit service record, 1,000
books, one-sided, collated,
perforating, carbonless, glued
Contact: Printing Buyer's Office
Bids are due: September 29
Agency: Transportation Department
Deliver to: St. Paul
Requisition #: 25650

Commodity: Braille mailing containers,
2,000, one piece die cut mailer
Contact: Printing Buyer's Office
Bids are due: October 1
Agency: Jobs and Training
Deliver to: St. Paul
Requisition #: 25696

Commodity: 1993-94 Highway Map,
film work/prepress only, four color
positives
Contact: Printing Buyer's Office
Bids are due: October 13
Agency: Print Communications
Division, Administration Department
Deliver to: St. Paul
Requisition #: 25463

Commodity: 1993-94 Highway Map,
printing only, four color, keylining,
overlays, press proofs, accordion fold,
26"x38"
Contact: Printing Buyer's Office
Bids are due: October 13
Agency: Print Communications
Division, Administration Department
Deliver to: St. Paul
Requisition #: 25464

Commodity: Printing—Explore
Minnesota Travel Directory, negs
available, 2 sided, head-to-head,
150M books
Contact: Printing Buyer's Office
Bids are due: October 14
Agency: Tourism
Deliver to: St. Paul
Requisition #: 25593

Commodity: Printing—Explore
Northcentral/West region Minnesota
Travel Directory, negs available, 2
sided, head-to-head, 150M books
Contact: Printing Buyer's Office
Bids are due: October 14
Agency: Tourism
Deliver to: St. Paul
Requisition #: 25594

Commodity: Printing—Explore
Northeastern Minnesota Travel
Directory, negs available, 2 sided,
head-to-head, 175M books
Contact: Printing Buyer's Office
Bids are due: October 14
Agency: Tourism
Deliver to: St. Paul
Requisition #: 25595

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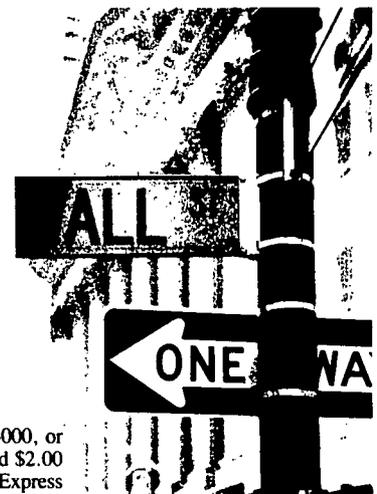
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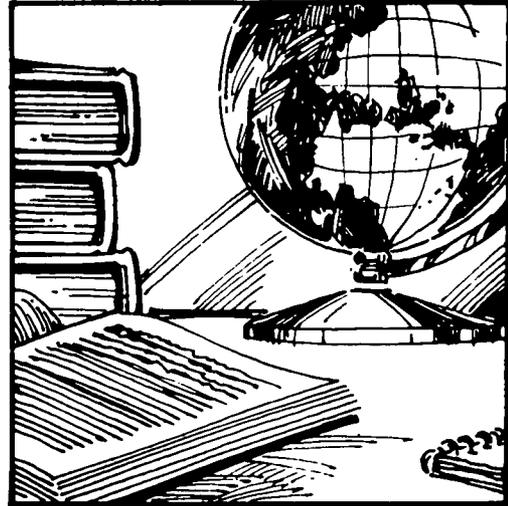
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